

Minorities

a question of human rights?

edited by Ben Whitaker

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Minorities: A Question of Human Rights?

Edited by

BEN WHITAKER

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of the UN Human Rights Sub Commission*

With an Introduction by

PROFESSOR ROLAND OLIVER



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Introduction: The Minority Rights Group: What's in a Name?

BY PROFESSOR ROLAND OLIVER*

Starting in May 1965, a group of friends with broad international interests began to meet in London to discuss what could be done to improve the lot of disadvantaged minorities, whose proliferation throughout the world seemed to be the most marked feature of our time. There were, first, the longstanding minority situations resulting from European migration and settlement in other continents, where aboriginal populations of hunters and Stone Age farmers had been overrun by colonists equipped with a much more modern technology, as in North and South America, Siberia, Australasia and parts of southern Africa. Here, despite terrible losses during the early years of contact, the survivors had often found peace to continue their old way of life by retreating into the least attractive environments of desert or mountain or forest or tundra, until in the mid-twentieth century they were again disturbed by the pressures of the modern world seeking oil or minerals or water power or timber or plantation sites or fisheries. These poor peoples, though neither numerous nor dangerous, seemed to us the most defenceless and therefore the most liable to exploitation of all the minorities in the world today.

There were, next, the minority situations stemming from the forced migration of Africans to the New World during the period of the Atlantic Slave Trade. The Africans, unlike the aborigines, were people of the Iron Age. They could survive and multiply, as the Stone Age peoples could not, in daily contact with the colonists of European origin. It was their servile status, endured through three centuries, that mainly impeded the natural processes of miscegenation and cultural assimilation, and which has left them, a whole century after emancipation, as a series of more or less disadvantaged minorities in most of the countries of North, Central and South America. Such minorities suddenly became trebly sensitive to their condition when, in the 1960s, the homelands of their ancestors moved from colonialism to independence and full recognition in the world scene.

There were, thirdly, the minorities created by colonial rule, usually as a result of the need for certain kinds of labour or technical skills not locally available. There were the Indian plantation workers who migrated during the

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mid-nineteenth century to almost every colony where sugar had previously been cultivated by black slaves—Mauritius, Natal, the Caribbean, Guyana, Fiji. And a host of other Indians—merchants, artisans, clerks and soldiers—whose presence alone made possible the establishment of British rule in Malaya and Burma, in East and Central Africa, as also in parts of the Pacific. Chinese migrants performed the same functions in Dutch, French, British and American colonies in South East Asia. There were the Lebanese in West Africa, the Greeks and Cypriots in the Belgian Congo. All these minorities were secure enough so long as colonial rule lasted. Often, they enjoyed a measure of economic and social privilege in relation to the indigenous inhabitants of their lands of adoption. The essential precariousness of their position became apparent only with decolonisation, when they suddenly came to be seen as an obstacle to the progress of indigenous rivals, and hence as fair game for harassment and persecution.

Fourthly, there were the minority situations arising from the period of rapid economic growth which occurred in the industrialised world during the 1950s and 1960s. This caused mass migrations from some of the poorest countries to some of the richest ones. It brought West Indians and Pakistanis to Britain, Mexicans to the United States, Algerians to France, Moluccans to Holland, Turks and Yugoslavs to Germany and Belgium, Greeks and Maltese to Australia. The migrants came to escape from extremes of poverty in their homelands, and were at first satisfied with the lowest scale of rewards in their countries of adoption. They had no capital and few possessions. They settled in the shabbiest housing in the poorest parts of the inner cities and demeaned them still further by overcrowding them, so that streets were full of children with nowhere else to play, and dustbins overflowed. Moreover, differences of complexion made them visible. They could be recognised as alien and could recognise each other. The stigma would be inherited by their children and their children's children.

In considering the recent burgeoning of all these problems, the classical minority situations of eastern Europe and western Asia, though real enough, seemed to have only a limited amount to teach us. Many of these situations derived from the break-up of the Austro-Hungarian and Ottoman Turkish empires after the First World War, when the even-handed, if sometimes harsh, rule of distant bureaucracies was replaced by the potentially more partisan treatment by majority populations in the new 'national' states. Typically, these were problems of Hungarians in Romania and Greeks in Turkey, of Serbs and Croats in Yugoslavia, of Armenians split between Turkey and the USSR, and Kurds between Turkey, Iraq and Iran. Their modern counterparts were to be found, if anywhere, in the post-colonial states of Asia and Africa. India, for example, inherited from the British *raj* political power over a whole series of unassimilated border peoples like the Nagas and the Mizos. Every modern state in Southeast Asia likewise had its hill-tribes,

many of whom lived astride the frontiers and for this reason alone forced themselves upon the attention of national governments. In Africa the colonial period lasted less than eighty years, and its fifty-odd post-colonial states included the speakers of more than a thousand different languages and of perhaps ten times that number of localised ethnic communities which had ruled themselves in pre-colonial times. In these circumstances it was inevitable that ethnic antagonisms should persist within new states, and give rise to minority situations among groups which felt themselves excluded from a fair share of political power. Curiously enough, these were often the larger ethnic groups which had been at the centre of progress during the colonial period, such as the Ibo in Nigeria, the Ganda in Uganda, the Luo in Kenya, the Chagga in Tanzania. This made a contrast with the position in European countries, where minority groups of an ethnic character were usually to be found on the least assimilated peripheries of nation states as with the Corsicans and the Bretons in France, the Basques in Spain, the Celts in Britain and the Lapps in Scandinavia.

One type of minority, which at the beginning most of us assumed to be very important, was the religious one. The Group's very first report was, in fact, on religious minorities in the Soviet Union, and a number of subsequent reports have had a large religious dimension. In retrospect, however, it must be said that religion has proved to be an unsatisfactory category for our studies, because the specifically religious factor is usually so hard to isolate from the social, political and ethnic context. The minority problems of Ireland are certainly exacerbated by differences of religion to the extent that it is very difficult to describe everyday events without using religious labels, but the divisions of Ireland are not primarily to be explained in terms of religion. No one can doubt that Jehovah's Witnesses have suffered severe persecution in several African countries, but mainly, it seems, on account of an accidental element in their beliefs which forbids them to join political parties. Anti-Semitism has led to the persecution of Jewish minorities in many countries through many centuries, and sometimes to the point of genocide, but it has seldom been mainly animated by hostility to the Jewish faith. On the whole, therefore, while not denying the existence of minorities, it has appeared to the Group that in any particular situation religion is usually only one of the factors to be considered, and one which, on closer examination, often tends to diminish by comparison with others.

One thing became clear at an early stage of our discussions. It was that minority situations should hardly ever be seen as permanent. When peoples of widely differing cultures are brought into coexistence through migration or warfare, or by inclusion within a new political frontier, the long-term result is usually a compromise. Indeed, it is through the operation of such compromises, however slowly and painfully achieved, that the human race has remained one, interfertile, intercommunicating species, of which the

essential advances made in any one geographic region are transmitted, in the end, to the others. Miscegenation takes over. The migrants are absorbed. The linguistic and cultural barriers become blurred at the edges through bilingualism and borrowing. A wider, more inclusive sense of nationalism develops. It is in the *short* term that the encounters between different groups are usually uncomfortable, and may be destructive. The most explosive situations of all tend to occur where political power is exercised by a minority group identifiably distinct from the majority of the population. There is an obvious connection with imperialism, but more specifically with the kind of imperialism which is accompanied by the migration and settlement of the conquerors in such numbers that they form a self-governing unit, independent of the sending country. A governing minority of this kind, living among a majority of indigenous peoples, does everything possible to institutionalise its superior position and make it permanent. Not only is the majority population denied political rights, its children are given an inferior education to ensure that they remain inferior. South Africa is one example of such a situation. Southern Rhodesia, from 1923 until 1980, was another. In such cases as these the conflict between the short-term and the long-term interest of the ruling minority is so great that it is logical to assume that the situation can be changed only by force.

Another kind of minority problem which seems peculiarly resistant to rational solution is that sometimes described as the 'double minority'. The Northern Ireland situation, for example, is one which originated in colonial conquest and migration. This was compounded, however, when the descendants of the migrants converted themselves into a technical majority in a part of the country, by persuading the departing colonial power to carry out a partition in their favour. This merely exacerbated the problem, because the technical minority, created by the same partition, continued to regard itself as a specially disadvantaged section of the majority population of Ireland as a whole. In these circumstances, although terrorism might be practised by few, it was condoned by many. The case of Israel is in essence similar. Here the invading migrants made themselves into a technical majority by elbowing aside the former majority population so effectively that most of them chose the unenviable lot of refugees in the neighbouring Arab countries. These regarded themselves, and were regarded by their unwilling hosts, as a specially disadvantaged section of the majority population of the region as a whole, while the Jews continued to be seen by the Arabs as a usurping minority, exercising minority rule over a part of the Arab world.

With a few other exceptions of this kind, it has been the view of the Group that minority situations should in general be seen as temporary and remediable, open to mitigation and amelioration by the exercise of reason and goodwill. Indeed, the most widespread disadvantage of minorities throughout the world has probably been their difficulty in making their voices heard on a

rational level through the ordinary political channels: hence the drift towards supine despair at one end of the spectrum or towards terrorist activism at the other. The aboriginal minorities have as a rule only minimal contact, through lowly administrative agents, with the governments which take the vital decisions about the use of their territory and the changes to their environment. For the 'hill tribes' of border regions in Asia and Africa, communications with national governments are apt to be nearly as tenuous, though rather more military in character. With the more sophisticated minorities, composed of recent migrants, or adherents of unusual religions, or specialised social and occupational groups, it may still be very difficult, even with the full panoply of modern democratic institutions, for minority viewpoints to penetrate to the governing establishment. In countries where the media are controlled by governments, as in most of the world they are, the difficulties are compounded, sometimes to the extent that a government's only regular source of information about its minorities may be the secret police.

Nevertheless, as the Group began to define its aims, it was the role of a specialist auxiliary to the serious press of the world that seemed most promising. It was decided to institute a regular series of reports on minority situations, which would be researched deeply enough to build a reputation for reliability, and yet be written for the most part by leading journalists with an eye to news appeal and a varied international readership. The reports would be supplied free to the press, and the balance sold more or less at cost to interested individuals and institutions. The emphasis, however, would be on serving the needs of the quality press, so that even if the readership in some countries was sparse, it would at least include the diplomats and the governments to which they reported. It was thought that even those governments which firmly shackled the press in their own countries were in some degree sensitive to the press comments appearing in other countries, particularly if these comments came from several directions at once.

The production of situation reports on the problems of individual minorities has been, in fact, the main work of the Minority Rights Group during its existence. The number of reports now exceeds sixty, and many have been revised several times in order to keep pace with events. Each report has been done by a specially commissioned investigator. The headquarters staff had until 1982 never been more than three, and usually only two. The notice taken of the reports by the international press has been gratifying. Still more so has been the rate of sales, now amounting to over a quarter of a million. Minority Rights Group branches have been founded in more than a dozen countries, which have begun by translating and promoting the sales of the English language reports, and which will continue by initiating investigations of their own. There seems no doubt that a chord has been struck which is capable of wide reverberation. Among the press and the reading public there is clearly an interest in minority problems, a desire to be better informed, a

concern that something should be done. But what?

During the early days of the Group much time was spent discussing whether there were any special rights appertaining to minorities, that is to say, to groups rather than individuals. Were there rights to do certain things in common, and in public, such as practising a form of worship, or printing religious texts, or using a minority language in courts of law, or running special schools or hospitals for the members of minority communities? Was there any right to claim a share of the public revenues of the state for the provision of special education, in a particular language and emphasising a minority culture? In what circumstances was a minority entitled to advocate political secession, or appeal for support from like-minded citizens of a neighbouring state? Above all, perhaps, if minorities had rights, what were the rights of majorities? And in new states, where there was often no real majority culture, but only a collection of ethnic, minority cultures held together by a tenuous political 'nationalism' born of the common experience of colonialism—what in these circumstances were the rights of a political élite which had somehow to build a nation out of a miscellany of ethnic and linguistic fragments? In tropical Africa, for example, was the Minority Rights Group to support a reversion to pre-colonial tribalism?

From discussions such as these the Group emerged long on humanitarian pragmatism, short on any coherent philosophy for dealing with minority problems in the abstract. It was partly to fill this void that it was decided in 1972 to institute an Annual Lecture, of which the first eleven are presented in this volume. Only one of the distinguished speakers, the anthropologist Professor Sir Edmund Leach, used the occasion to pour ridicule on his hosts, characterising them as a set of liberal, Christian, middle-class, capitalist Englishmen, guilty of a moral imperialism which was only a step from political imperialism. The other contributions have been more constructive, especially the scintillating piece by that notorious liberal, Christian, middle-class, capitalist, imperialist, Dr Conor Cruise O'Brien, whose essential conclusion was that minorities are best protected by appealing to the basic human rights of the individuals composing them. The argument is political and pragmatic. It is that the Universal Declaration on Human Rights exists and commands a measure of sympathy throughout the world such that almost any government is embarrassed by an accusation of failing to enforce it. In contrast, group rights are only implicitly recognised, and it is unlikely that any collection of governments such as the United Nations would ever assent to a code of explicit rules on the subject. Not only are governments more sensitive about groups than about individuals but public opinion can almost always be mobilised against an appeal from outside a state on behalf of a group within it—*'that lot, with their regrettable habits, extravagant claims, ridiculous complaints and suspect intentions'*. But although against any attempt to define group rights, Dr O'Brien seemed to be in no doubt that

the sensitivity of governments in relation to their minority groups should be played upon by the skilful use of investigation and publicity, and it was comforting to have the judgment of a former high official of the United Nations, that at least in mild situations, 'a government will not wish any part of its population to be the object of one of these excellent MRG surveys, and if it is to be the object of one, will want to ameliorate, if it can, the conditions to be described'.

Lord Scarman's approach to minority problems was very different from Dr O'Brien's. He was concerned not with the ill-treatment of minorities, but with the consequences for justice of their being treated preferentially to other citizens. His view was that, in a plural society, one clear function of the law was to help to preserve the harmony between the different groups in society, and to see that deprived groups did not get so frustrated that they turned to destruction. The law must therefore uphold positive discrimination in favour of disadvantaged groups, in education, in competition for employment, decent housing and so on, even if this involved some sacrifice by members of other groups. If employers were required to reserve a certain proportion of jobs for black people, it might mean that better qualified white people went unemployed, and, if so, this struck at a fundamental principle of justice that all men should be equal before the law. Lord Scarman believed that the injustice to individuals must be accepted in the interest of preserving harmony between groups, but he thought that the conflict of justice is nevertheless so serious that the mere existence of a plural society demanded that individuals should have the protection of a Bill of Rights, so that any deviations from the principle of equality before the law should be seen as temporary and exceptional. From this analysis it seemed to emerge that, even if minorities did not have group rights as such, society nevertheless had duties towards disadvantaged groups which were so extensive that the law had to be 'loaded in their favour'.

Another jurist of great distinction, Professor Fawcett, who has served for many years as President of the European Commission on Human Rights, examined the possibilities for international intervention in the mishandling by a sovereign state of its minority problems. While the theoretical possibilities proved to be surprisingly wide, he concluded that intervention was best reserved for strictly peace-keeping operations rather than for imposing political solutions. However, he opened a most intriguing alternative avenue for mitigating influences by pointing out that the whole concept of minority rights was originally established by treaty: that is to say, by the treaties signed between the Allied and associated Powers and the new national states of eastern Europe following the end of the First World War. He suggested that treaties may still have an important role to play in the future, in cases where undertakings about the treatment of minorities might be made in exchange for certain terms of trade or as conditions for aid or defence. More

clearly than other speakers, Fawcett made the point that the international recognition of human rights owed much to the situation following the Second World War, when such rights could be seen as important propaganda weapons in the struggle to break up the old European empires in Asia and Africa. Decolonisation once achieved, both the Soviet bloc on one hand and the new nations on the other became noticeably more lukewarm about the enforcement of human rights in general and about minority rights in particular: these were increasingly seen as a cover for neo-colonialist interference by developed countries in the affairs of the less developed. For supporters of human rights, it is today a matter of holding the ground gained rather than seeking large advances.

Professor Ralf Dahrendorf went so far as to say that the free societies of the world were in a minority in paying any attention to the rights of minorities, and that the essentials of such rights are denied or threatened above all in countries which are passing through the perilous transition to modernity. More specifically, he said, 'The plight of the minorities of South East Asia, which makes one cringe with horror, adds to Auschwitz and Gulag the third great story of mass murder by the action of those in power in the last half century'. It was good for the Minority Rights Group to have put thus baldly the proposition that the refugees from civil wars and violent revolutions, not just in South East Asia but the world over, should be regarded as minorities requiring the same kind of investigation and publicity as our other clients. There are obvious difficulties of definition here. Refugees, whether from the Vietnam and Kampuchea of the 1970s, or from the Russia of 1917, the Hungary of 1956, the Czechoslovakia of 1968, the Chile of 1973, the Ethiopia of 1974 or the El Salvador of 1981 (to name but a few recent examples) may be regarded as *having been* minorities of one kind in their countries of origin, and as about to *become* minorities of another kind in the countries where the survivors finally settle. But what about the grim phase while they are being harried around with only the few possessions they can carry, in constant danger and seeking new homes in a whole series of widely-scattered countries? This phase at least usually attracts the attention of the press, which on the whole renders a great service in preparing public opinion in the likely host countries to keep some doors open to would-be migrants. The question is whether there is a need for somewhat deeper investigation and publicity about the actual process of diasporas from various situations of revolution and violence. Probably, if only for the better education of host constituencies, there is such a need, and certainly this is a matter which the Minority Rights Group considered carefully in connection with the eleventh annual lecture, given by the former UN High Commissioner for Refugees, Prince Sadruddin Aga Khan. He drew attention to the fact that nearly always mass exodus occurs from countries when human rights are least respected. He recommends the appointment of a UN Special Representative,

supported by a corps of skilled observers, who would be able to give warning of the situations likely to lead to mass exodus. At least the advance publicity might lead to the redress of minority grievances. At worst it would alert humanitarian organisations in the likely host countries.

The acceptance of refugees, however, is not the end of the refugee problem. Once settled, refugees form minority groups in the host countries, often very small minorities, so small that the hosts are apt to assume that total cultural assimilation is the objective on both sides. At the start, it may indeed be so. But the numbers build up, and the refugees from the same countries of origin inevitably form themselves into communities in the hope of preserving some of their old values. And, again, refugees are not necessarily very employable in the context of another culture, and their children are prone to the familiar linguistic and other disadvantages. So that, as Professor Dahrendorf reminded us, the act of hospitality towards refugees leads on to the need for continuing affirmative action by the host society in relation to education, jobs, services, legal aid, housing and so on, with all the inherent threats to justice that Lord Scarman pointed out. At least for Dahrendorf, there was a positive advantage for the host society in all the acts of social tinkering. 'Homogeneity is fine, but heterogeneity in peace and co-operation is better, as a test of human tolerance, but also as a source of human creativity.'

Clearly, it would be a matter of supreme interest for the cause of minorities if anything approaching scientific proof could be adduced for the proposition that ethnic and cultural mixture results in a gain to creativity. The example on which most of our speakers seemed to base their optimism was that of the United States. Lord Grimond traced a memorable scenario of what the United States would look like if the War of American Independence had been won by the British: a population of 25 millions, concentrated between the Alleghanies and the East Coast and a national pastime of inventing ingenious new difficulties standing in the way of simple solutions to any problem. No doubt at all, the United States became what it is by making itself a place of refuge for the underprivileged people of western Europe during the middle and later years of the nineteenth century. But this was, after all, a migration from neighbouring and Christian lands. It is less clear what the Americans and the Amerindians gained in creativity from each other's company. And as for that resulting from the interaction of the White and Black Americans, any reckoning would still be premature. It would be interesting to have an informed opinion about the creativity resulting from the European and Asian peoples of the USSR. Meantime, it is perhaps safer to accept with Lord Scarman that great migrations have taken place and they are certainly not going to be reversed. How creative they will be in their result will depend on how intelligently the consequential problems are dealt with.

Of course, there is no end to the definition of a disadvantaged minority. Some of our strongest supporters appear to believe that it includes all women

and children and most of the animal kingdom. And in fact the Minority Rights Group has already produced reports dealing in a comparative way with the status of women in parts of Asia and Africa. It has also come nearest to promoting an outright, reforming campaign in relation to the practices of excision and infibulation prevalent in some parts of western Asia and northern Africa. It is perhaps in relation to such by-ways that the Minority Rights Group needs most to remember the warnings of Professor Sir Edmund Leach on the issue of moral imperialism, and to make sure that investigations and reports really do articulate some locally-held views even if only those of a minority. Otherwise the organisation as a whole could be discredited. The Minority Rights Group is not there to reform the world, but to enable the muffled voice to be heard.

CHAPTER 1

What Rights Should Minorities Have?

BY DR CONOR CRUISE O'BRIEN*

Sometimes the only right a minority seems to want is the right to become a majority; and sometimes the minority achieves this through changing the political context. I have experienced such a change in my own lifetime. I was born a member of what was, juridically speaking, a minority—the Irish in the old United Kingdom of Great Britain and Ireland, in which the predominant partner, in the language of the time, was England. But I grew up as a member of a majority in an autonomous and later independent Irish state. I was brought up also to think of myself not as a member of a majority in that juridical unit only, but of a majority legitimately entitled to rule in the whole island of Ireland considered as a natural geographical unit, a cultural unit from very ancient times, and treated as a distinct political entity even under centuries of foreign rule. That is what I was brought up on.

The partition of the country in this view was an artificial innovation and therefore illegitimate. The so-called majority in Northern Ireland was in reality an Irish minority and had no more right to secede from the nation than, say, Yorkshire would have to secede from England. We meet similar concepts in relation to minority/majority problems in many other parts of the world. All those propositions were accepted as axiomatic in the culture I grew up in, which felt itself to be not a minority but a majority culture. The group which was in an actual minority inside Northern Ireland, the Catholics, generally felt itself, as it feels itself on the whole today, to be, of right, part of that majority. They also were conscious in a more pressing and uncomfortable way of being in a *de facto* minority, and their consciousness and character developed in somewhat different ways from those of the more comfortably situated majority of the majority, to which they actually felt themselves to belong, as well as of course differently from that other majority, the Protestants, under whose unsympathetic rule they actually lived.

However, Protestant axioms (I am using the terms 'Protestant' and 'Catholic' here as they are used in Ireland referring to Irish Catholics and Ulster Protestants, and without any element of theological generalisation) define the context differently, and Protestants emerged from their own

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definitions, just as Catholics did, as a legitimate majority. For them the primary unit was not the island of Ireland but the archipelago, the British Isles. Ireland, they pointed out, had never been politically unified except under the British crown. The unity of the British Isles and Ireland had been broken by the secessionist movement of the Catholic inhabitants. Ulster Protestants had no part in that movement, and in response to their legitimate demand to remain British, the British Parliament had, legitimately, to set up their home territory as a political entity, Northern Ireland. Within that entity they were a local majority while also remaining part of the overwhelming British majority in the archipelago.

Many of you will have read—I hope—Mr. Harold Jackson's admirable short monograph 'The Two Irelands', published as Report No. 2* of the Minority Rights Group. Mr. Jackson uses an illuminating subtitle here: 'The Problem of the Double Minority', i.e. the Protestant minority in Ireland and the Catholic minority in Northern Ireland.

But what exactly is that problem? The problem is that neither end of the double minority sees itself as a minority at all. The rights that both claim are majority rights in the same area, and they cannot both have them. And that of course is a civil-war formula.

Now, I start from that particular case because it is where I start from and also because it is something that I am forced to think about every day in my daily life, and it affects the way I also look at other problems—I hope it does not distort it: it certainly affects it, and probably does in some ways distort it. What rights should such minorities have, apart from the rights they actually claim? Or can such a separation be maintained in practice at all rigidly? Certainly there is no use telling a minority it should have rights which in fact it does not want, or which it feels to be irrelevant to its actual needs and situation. And the rights which minorities have actually claimed vary very widely indeed.

Many minorities have asserted and maintained for periods of varying length a right to rule over majorities. The British in India, the Afrikaners in South Africa, East European Communist parties and the West Nile soldiery in Uganda are all examples of this assertion of that kind of right.

This claim of right has been grounded in theory on genetic, theological and ideological conceptions, and in practice most often on superior firepower. It may be said that the right of a particular minority to rule over a majority is no right at all but an arrogant pretension. In terms of liberal and democratic values this is certainly so. But some uncomfortable considerations enter here. For is not a commitment to liberal and democratic values in itself a characteristic of a minority, quite a small minority, as it would appear, of the inhabitants of this planet? That being so, by exactly what right do we, (that is, our kind of people — the kind of people interested in coming to this kind of

* See Appendix

meeting, in various countries) tell or try to tell or think about telling other minorities what their rights are and what they are not. By what right? Not by any democratic right, certainly. We tell, let us say, the Tutsi that the right he fancies he possesses to dominate the Hutu is not a real right. He replies in effect that as far as his culture is concerned, it *is* a right. (I am taking Tutsi and Hutu virtually at random, and I hope no expert in that area of the world will take me up too literally! We should guard our flanks at all times!) We tell him it is not a right, because it is contrary to democracy, to which our ancestors became converted in the nineteenth century, along with imperialism (although we might leave that out so as not to confuse the Tutsi!) He says his ancestors did not become so converted, and are we claiming that our ancestors were superior to his? Now, that is a forked question, and we have to be very careful how we answer it. If we say, 'No, no, of course not, my dear fellow', he can ask us: 'By what right then are we telling him that he must act according to the acquired convictions of our ancestors who are admittedly no better than his own?' If, on the other hand, we say, 'yes, our people represent a more advanced stage of civilization than his do', he replies that this is exactly his own position in relation to the Hutu.

That is an imaginary discussion, but it does, I think, illustrate—in I hope what you will not feel is too flippant a way when we are discussing a very serious question—a real difficulty inherent in attempting to define, from within a particular historical phase of a particular culture, norms applicable universally in respect of minorities or anything else, in widely scattered and diverse human conditions and situations about which, generally speaking, our knowledge has to be—and most certainly mine is—very limited. It would take the nerve of an early nineteenth-century missionary explorer to set about such a task with full conviction. We do not have that kind of nerve any more, but neither, fortunately, have we acquired the opposite kind of nerve, the nerve to say, with Nietzsche, 'There are whole peoples who have failed', and to be entirely indifferent to their lot. European ideas about the underdeveloped world have, I think, never been so uncertain and so tentative as they are now. The certainties of imperialism are gone—I think—but so are the certainties of anti-imperialism: the bright hopes of decolonisation, the notion of the transforming power of technical aid, the charisma of a great convergence of a world revolution. All these ideas are still around, but one senses a certain lack of conviction in relation to them. We are groping, not quite certain that we have even the right to grope, and more than half afraid of the things we may find among 'them', 'the other' and in ourselves. Yet we cannot help groping, sending and receiving faint and ambiguous signals. Sometimes, as in the case of Biafra, of Bangladesh, of the Uganda Asians, we or a number of us, are sufficiently moved by a particular signal to try to help in some way. And sometimes also, when we look back on that, we cannot be sure whether what we did actually hindered or helped.

The cases which have touched imaginations and consciences in Europe and America are mainly cases of minorities—not ruling minorities of course, but underdogs—people harassed in varying degrees and kinds ranging from the quiet but terrible social ostracism which surrounds the Burakumin in Japan to the waves of violent persecution experienced in turn by Bengali and Bihari in East Pakistan/Bangladesh, to take only fairly recent or contemporary examples. It is of these endangered or stigmatised minorities of course that we generally think when we ask what rights minorities should have.

Even in relation to such minorities only, and leaving aside the ruling kind, this question remains extraordinarily hard to answer. The rights which such minorities, or at least their spokesmen, have historically sought, include—and this is not an exhaustive list—first of all, social integration into the wider society, claimed at various times by certain American negro groups, Jews in nineteenth-century Germany and elsewhere and in the twentieth-century Soviet Union—at least at one time—Algerian Moslems in France at one time, Catholics in Northern Ireland at the time of the campaign for full British rights (1967–69) and West Indians in Britain at one time. We may take it too that this is what the people such as the Burakumin in Japan want, and that without this particular right other rights in their context can have little meaning for them. And this is a right which neither domestic law nor international convention can secure for them. In certain circumstances, however, some display of international interest may help. American blacks certainly benefited from this from the time of Little Rock on, and so also, although more ambiguously, did Northern Irish Catholics.

The second form of rights which minorities have sought and seek include economic, technical and functional integration including equality of access to training and promotion, but without much demand for fuller social integration. The Chinese of North America, the Pakistanis of Britain, are examples here. But in fact I think that most of those who have sought or seemed to seek social integration have also at different times been interested in this kind, and perhaps in some cases more in this kind than in the social integration that they seemed to be looking for. There can be notable ambiguities and deceptive appearances in this area. For example, when Northern Irish Catholic spokesmen demanded full British rights in 1968–69, they were not really, as they seemed to be, looking for assimilation into the British community; what they were really doing was more tactical: it was to turn the Ulster Protestant claim, 'Ulster is British', into a weapon against the internal realities of the Ulster Protestant state. Only four years later the right claimed by the same spokesmen was opposite in form: that of integration into a united Ireland. And it could reasonably be argued that the very different and contradictory rights indeed sought at different times were really instruments used to secure the only right that could have much practical meaning in the lives of those concerned, namely, economic and functional

integration as defined here. In practice also the line between economic and social integration is hard to draw. To the extent that education is in common, it works, though imperfectly, towards social integration. If education is separate, the majority will not be easily convinced, or easily admit, that the schools of the minority can really give an adequate training to warrant the kind of access to jobs and promotion that the minority will accept as constituting equality of opportunity.

The third case is this: sometimes the right to which the minority comes to commit itself, often having tried other things with what it feels to be lack of success, is the diametrical opposite of integration, i.e. political secession. The same minority coping with different conditions may at one stage be committed to total integration and at another to complete secession. The Ibos of Nigeria are perhaps the most classical case of this in recent times.

Secession is of course the most doubtful and controversial of all minority rights, with the exception of the right claimed by certain minorities to rule over majorities. I am sure you will wish me to give particular attention to the question of whether, and if so, in what circumstances secession can constitute a right of a minority. This question affects the whole area of minority rights discussion. It is the dimension (if you like) which makes this so sensitive a subject.

Secession is a very unpopular idea, naturally so, since it threatens the life of a state and threatens public order. Yet hardly anyone I think would claim that there is no such thing as a right to secede in any circumstances at all. The nearest thing one gets to that position is, I think, in certain circles in the United States, where for more than a century the dominant tradition in the United States—that of the Northern victors in the Civil War—has of course been strongly anti-secessionist, yet could hardly deny the right of the American colonies to secede from the Empire of George III, or of what are now the Latin-American states to secede from Spain with the help of the United States. For a long time the distinction was made that it was all right to secede from the things called empires but all wrong to secede from things called republics. This distinction stood Woodrow Wilson in good stead when at the end of the First World War he threw in that great secessionist fragmentation bomb, the principle of the self-determination of nations (which was not, I may note in passing, applicable to the Irish at the time, though they made good use of the propaganda value of this declaration). In the wake of the First World War this was used to break up the defeated empires and after the Second World War it was applied to the territories of the British and French empires. But there was a difference. In the post-First World War division an attempt was made to build the new states as far as possible around historical, cultural and linguistic groupings, such as we have been accustomed to describe as nations. In the case of the post-Second World War division, hardly any corresponding effort to sort out peoples was

attempted, and the arbitrary assumption was made, perhaps had to be made, that the various colonial administrative territories, all of short duration and some of vast extent, now constituted nations and were exercising self-determination. (You note that the meaning of the word 'self-determination' perceptibly changed at this point in time.) In fact some of the peoples included in these new nations, and some of those later anxious to escape from them, at least for a time, were more numerous than the population of some of the new states set up in Europe under self-determination at the end of the First World War.

It is hard to see, if we are putting the question on a moral plane (as I suppose we must if what we are attempting to discuss is rights), why self-determination should be right in the one case and necessarily wrong in the other. I believe that secession is an evil, or rather the recognition of an evil, a breakdown in human relations. I also believe that no minority is likely to have recourse to it, with all its dangers, unless the pressures on it are felt to be intolerable, and unless also other conditions apply in terms of numbers, terrain, diplomatic conjuncture and other apparently propitious factors. It would be uselessly pedantic, I believe, to draw up rules for when secession is a right. It is enough to say that no minority is likely to attempt anything like this unless it or a substantial section of it has been driven desperate by events. The Biafrans, for example, felt after the northern massacre of Ibos that they had—and they asserted this passionately—the same basic right to defend themselves as had, for example, the Jews of the Warsaw Ghetto. They may have been unwise in attempting secession, and it seems they were. They may have exaggerated the danger, and it now seems they did. But it would be hard to see on what grounds, granted the historical precedents in their particular situation, it could be said that they had no moral right to make their attempt.

The recognition of that right by others is, of course, another matter. That cynical old maxim about treason never prospering—'Treason doth never prosper; what's the reason? That if it prosper none dares call it treason'—seems to apply here. Bangladesh is now recognised by all, Biafra by none. The reason is not that Bangladesh had necessarily a better moral case than Biafra, though perhaps it had. The reason is that the Indian Army beat that of Pakistan. Biafra, having no such ally, died.

The fear or threat of secession is a double-edged weapon for minorities. On the one hand, it may secure for them (I am not speaking now of secession itself but of a different matter: the fear or threat of it—which is much more widespread, much more impalpably and generally present, than actual examples of secession) advantages for the minority, making a majority more anxious to conciliate them lest worse befall. On the other hand, the fear it inspires may goad the majority to particularly harsh and oppressive action. There may be a cyclical alternation of these different reactions over longer or shorter periods, like the alternations of coercion and conciliation in

nineteenth-century Ireland, or the oscillations in recent British policy in Northern Ireland. Finally, a population which is not in itself secessionist and which is even fairly far gone in one form or another of integration can harbour militant secessionist elements, and can regard these with the most varied and fluctuating emotions. I think here it is very important not to hypostatise monolithic minorities; they do not work like that: there is a lot of variation within them and a lot of change in those variations. Minorities can look at their militant secessionist elements, which claim to be their political vanguard, with such emotions as these: admiration, sympathy, apprehension, anxiety, guilt, fear, hatred (and I am here speaking of fear and hatred not by the minority of the majority, but fear and hatred by members of a minority of people who are claiming to be emancipating that minority). These emotions take changing patterns in response both to the activities of the militants themselves and to whatever forms of coercion or conciliation the majority is trying and with what success—all in a great flux in potential secession situations for long periods.

Minorities are in fact often divided as to what rights they really want, or what they think they want. Even individual members of such minorities are often divided within themselves about this, and change in their mood from year to year or month to month, or even at different times of the day in the one person one can observe the most extraordinary fluctuations of ideas about what the solution is.

A partly integrated society forces versatility in role-playing in an unusual degree on minority members. I have observed in far away countries, and perhaps nearer at home, certain minority people playing one role in the presence of local majority people, a second role equally artificial in the presence of more extreme members of their own minority, and a third role, more naturally, with their own friends, all minority people but none of them aggressively minoritarian. That is a point too: minorities are not being minorities all the time; they are not constantly thinking of themselves as minorities; on the whole they only think of themselves as minorities when they are forced so to think of themselves by the definitions of majorities or ruling groups.

In the first context these people sounded like social integrationists; in the second they behaved as if they might be at heart secessionists; and in the third they showed themselves to be on the whole economic integrationists, with not much more taste for social integration in the full sense than for secession. But their conviction in the various roles could vary according to mood, the previous day's news, or even the rumours of the day itself.

In certain circumstances, minorities can find rights thrust on them which they have not so much been actually looking for as sounding as if they were looking for. Again there is an escalating factor in the rhetoric of minorities. People represented as spokesmen of minorities can often feel (sometimes

consciously think, more often feel) that the more they look for, the more extreme they sound, the more they will get, without necessarily wanting the most extreme thing, such as total independences that they look for. They may think that this is the way of getting a certain amount of control over local government, to say 'We must have immediate independence now, or else . . .', that that is a bargaining position. But what they intend as a bargaining position may be taken as a definitive statement by others, and they may even get locked into it by more extreme elements in their own minority.

Fourthly, there are minorities which are so placed that neither social or economic integration nor secession seems relevant to them. Thus the Crimean Tartars, it seems, neither wished to be integrated in Kazakhstan where they do not wish to be in the first place, nor to secede with any part of Kazakhstan. They just want to be allowed to return to their Crimean home. The Ugandan Asians by now just want to get out. They did not always want that; they wanted other things. But now they want to get out anywhere, with their lives, their families, with anything that they are allowed to carry. This is of course the last right, or almost the last right of a minority.

But these are extreme cases. For most it is the question of one or other form of integration, or a blend of the two, or much more rarely, of contemplated secession, independence. The last is not likely to be undertaken seriously by any sizeable body of people, except as a result of a total or at least major breakdown in an integration process.

One approach to the problem which has much to recommend it—indeed I am rather beginning to come round to it—is that it is wrong to speak of minority rights or majority rights. Rights are best thought of as inherent in each human being, irrespective of what kind of cultural grouping he or she may belong to.

Those who hold this point of view are likely to point out that the culture of a group (and when we are speaking of minorities we are always speaking of groups) may include systematic violations of basic human rights. When we are told to respect the cultures of groups we are being told to respect things which may include for example the Hindu caste system, the treatment of women in Islam and a number of other cultures, female circumcision in certain cultures, ostracism of twins, for example, in others, and so on. To speak in terms of group rights—as we do of course when we speak of minority rights at all times—may involve connivance in actual denial of rights to stigmatised members of the groups in question.

I would not lightly dismiss that argument. I think there is a great deal of force in it, and it is reflected perhaps to a rather surprising extent in such a document as the Universal Declaration of Human Rights, which always prefers to speak of rights inherent in individual human beings and *not* of group rights. In general at the United Nations, this is the approach that has been favoured, nor is there much difference between the various blocs or

between developed and underdeveloped, about this matter—on the whole, ‘developed’ being more sympathetic to group rights than ‘underdeveloped’ are. This may seem surprising for more than one reason. The language of the document which people of so many cultures *appear* to find acceptable is clearly the product of one special culture, that of Western Europe including the Europeans of North America. More than that, it has been powerfully argued by people from the Third World—some people—that this generalised and abstract concern with human rights as defined by Europeans became an instrument, consciously or unconsciously applied, for the disruption of other people’s cultures. That case is argued, with considerable subtlety and power, by Franz Fanon. I am not thinking particularly here of *Les Damnés de la Terre* (*The Wretched of the Earth*) which seems to me a somewhat over-rated work, but in particular of an essay in a volume called *Studies in a Dying Colonialism*; at least it appears with this title here in a collection of his essays. The essay I am thinking of is on the haik, the veil-garment worn by Moslem women, which he takes as a symbol and analyses in a most interesting way. Fanon was writing about conditions in Algeria under French rule in the period after the Second World War and before the Algerian Revolution. I am going to give this in a little detail because it seems to me important as an example of the potential divergence between group rights and individual rights.

This was a time when ideas of integration were in the air, when many Arabs led by Ferhat Abbas were demanding full French rights, and when some Frenchmen saw France’s future in Algeria as depending on the development of a large class of Arab Frenchmen—and French women: that was where, as Fanon describes it, the test came. For example, in the society at this time, this Arab civil servant who claimed to be as French as anyone else, and who demanded promotion rights on a French scale, would he bring his wife to the office party *without* the veil? Fanon describes the hints, the arch enquiries on this score. Frenchmen now saw, and French Arabs at least tried to see (and there were French Arabs) the rejection of the haik as an act of liberation. Fanon, in his turn, throws a harsh light on the humiliations that can accompany such an apparent act of liberation. For Fanon, the later reappearance of the haik was a real act of liberation in so far as it, in his view, symbolised the recovery by the Arabs of their pride in themselves and their culture, their final rejection of interior colonisation. Fanon, however, thought of the resumption of the haik by Arab women as both voluntary and temporary. He stressed the role of some Arab women in the Revolution, and even rather pathetically points out how useful the veil was for concealing arms and ammunition. He thought that after Liberation (not Women’s Liberation, but Algerian Liberation) the haik and all it stood for would disappear. But so far as I know, they did not disappear. As we read Fanon, we should remember that too. It is interesting, though, that Fanon thought they

should disappear, and even thought that their disappearance was something that the Revolution was about—which I doubt.

Beneath all that ultra-Third World rhetoric, which has fascinated so many people, Franz Fanon had more in common with the French, of whose educational system he was a product, than with most of the Arabs whose cause he championed. The same, or something corresponding to it, is true of most of the educated Third-World intellectuals who represent their under-developed countries at the United Nations and other international bodies. These have no difficulty—I am talking here all the time about this question of group rights or individual rights—about the Universal Declaration, because they were brought up on the Declaration des Droits de l'Homme or its Anglo-Saxon equivalents. Any one of them would think it derogatory to their country's status were someone to suggest he might be unwilling to sign such a document, even though he might know that no such rights were in fact recognised by his own government in its daily relations with the citizens. And there of course, in some cases, he would say: 'The best thing I can do to bring about these rights is to get my government at least to sign this document so that I can then say to them, "Well, why don't you honour this?"' And this is quite sincerely put. Even where he signs in a more cynical spirit, he is not necessarily more hypocritical than some of his eighteenth-century predecessors, the *philosophes*, who (like Voltaire) were not above a flutter in the slave trade, or the slave-owners who signed the Declaration of Independence. Universal Declarations tend to be professed with mental reservations, sometimes unconscious, 'not for slaves', 'not for savages', 'not for "those" people'. Sometimes the language has helped. A Japanese, for example, could sign a declaration setting out the right of people without having to think at all about the position of the outcastes in his own society, since the word for those outcastes in his language is *hinin*, non-people. And I have on countless occasions heard persons who were by no means Japanese use the word 'people' in contexts where the Japanese distinction was clearly implied.

As a matter of experience I have found—and I have had to concern myself at the UN with problems like that of Tibet or South Tyrol, for example—that people who are all in favour of human rights generally speaking are very likely to sit up and look suspicious where there is any question of *minority* rights. Human rights is a pleasing abstraction impregnated with our notion of our own benevolence. But *minority rights* evoke a sudden sharp picture of 'that lot' with their regrettable habits, extravagant claims, ridiculous complaints, and suspect intentions. Special rights for *them*? Not likely. Governments are representative, of course, either of majorities or more often of ruling minorities which of course do not think of themselves as minorities ever. It is therefore unlikely that an international association on the scale of the United Nations will promulgate an effective code giving specific

protection to minorities. The United Nations has attempted from time to time to cope with this problem in a gingerly way, but has flinched away from it. More limited bodies like the Council of Europe, representing countries which are more secure from secession threats, have been able to make some progress, but the countries most affected by minority problems and where minorities themselves have the most acute problem, are not anxious to enter this area of discussion.

Should a private body, the Minority Rights Group for example, attempt to draw up such a code? That would be a most difficult task. I have tried to indicate some of the difficulties, and I am not at all sure that its utility would be proportionate to its difficulty. The leverage applicable to governments through their adherence or putative adherence to the Universal Declaration is not much (indeed it is pitifully little) but it is something. The leverage applicable through a code not accepted by governments and—almost by definition—not acceptable to them, would be likely to be nil; it might even be counter-productive.

Despite its defects, and I have tried to indicate some of them, I believe that on the whole the universalist approach, based on rights inherent in each individual being, remains the most hopeful one. We ought not, after all, to idealise minorities or to forget that today's underdog may be tomorrow's power-crazed bully. (Anyone who may be inclined to forget that should place on his desk a photograph of General Amin and contemplate it daily.) Or that certain custodians of minority cultures, and certain vehement exponents of minority political rights, may already be playing that role in their own little community. In these conditions, we ought in effect, I suggest, to be saying to governments something like this: 'We seek no special rights for minorities, your ones or any other ones. Members of minority groups should have the same human rights as members of majorities, no less and not necessarily any more for the moment than those set out in the Universal Declaration to which you subscribe. But we have evidence that shows that members of such and such a minority are being denied these rights under your government. Unless you set about correcting this situation, we shall have to publish this evidence with inevitably undesirable results for your country's reputation and prospects.'

I believe that this, in effect, is what the Minority Rights Group has been saying and doing. Such efforts are not in vain. In mild situations a government will not wish any part of its population to be the object of one of those excellent MRG surveys, and if it is to be the object of one, will want to ameliorate if it can the conditions to be described. That is in mild situations. But even in the most dire situations, international attention can at least help the survivors. Thus it is no detraction, or at least intended as no detraction from the credit due to the magnanimity of the present Nigerian government in relation to the defeated people of what was once Biafra, to say that the

attention concentrated on the question was probably of a nature to encourage in the long run counsels of magnanimity—if only to prove that the alarmist things that were being said about what Nigeria would do were not true. Our most pressing concern should now perhaps be not to define what rights minorities should have, but to find what techniques are most appropriate for conveying to governments the message that decency in relation to minorities is a quality helpful to any country in its international relations.

(1972)

CHAPTER 2

The Integration of Minorities

BY PROFESSOR SIR EDMUND LEACH*

I must start with an apology. In reading through my draft I found that substantial parts of it might easily be construed as a direct attack on everything that the Minority Rights Group stands for. That is not my intention at all. My thesis rather is that what the Minority Rights Group does is, of its kind, excellent, but that why it does what it does, or what it hopes to achieve by doing it, needs a lot more thought and clarification.

The bogey which links the various activities of the Minority Rights Group together is *discrimination*. MRG is, as an issue of principle, against discrimination. It recognises that the circumstances which generate discrimination are always complicated but it has faith that there are plenty of men of goodwill in influential places and that only good can arise if the facts of the case are better known.

So MRG pays for on-the-spot research into situations of notorious discrimination and publishes the results in the form of factual reports, most of which have quite rightly received high praise. But let me draw your attention to an initial paradox. The reports are written in English so that it is an English-speaking public opinion that is being stimulated, but nearly all the cases of discrimination which have so far been examined lie within the political jurisdiction of non-English-speaking governments.

In the last analysis, is MRG trying to influence British foreign policy or to interfere with local administration in foreign countries?

The heart of my anxiety is this. The days of gunboat diplomacy are over. We are no longer likely to use the suppression of the slave trade as an excuse for sending in the marines. But moral imperialism is still with us and I am by no means certain the MRG is not an example. My comments therefore are intended to raise queries. What is MRG really hoping to achieve and where?

Although the heading of this lecture is The Integration of Minorities, I shall not arrive at that topic in any explicit sense until later. It would be as well, however, if the formal possibilities were kept in mind throughout.

If a sovereign political state incorporates more than one distinguishable cultural community—as is nearly always the case in modern states—there

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are, broadly speaking, three (and only three) 'ideal types' of long-term development, even though *in practice* the combination of these ideal types may produce all kinds of variation.

Ideal type one is that of 'total integration'. The guiding ideology is that the political state 'ought' to be culturally homogeneous. The culture of the politically dominant group must prevail in all contexts. Minority values and minority customs are seen as a threat to the cohesive solidarity of society and must be eliminated. In its extreme form, this ideal goes along with a drab egalitarianism. It is not simply that every individual must have equal opportunity; every individual must remain the exact equivalent of every other for fear that the fabric of society may be torn by the divisive influence of culturally-distinguishable classes.

Ideal type two is that of 'federal association'. The guiding philosophy is that of tolerance. We are required to accept the thesis that people can be equal even when they are different. The ideal of federation is very attractive to liberal-minded Englishmen. Some federations are more successful than others but it is a well known fact of history that in Switzerland the combination of cultural diversity with political federation has proved to be a perfectly viable possibility which has endured for centuries. And of course there have been a great variety of other less stable versions of the same kind of thing.

The practical difficulties are well known. One of the federated cultural units tends to dominate the others. Alternatively, if there are several groups, they sort themselves out into a hierarchy. Hierarchy then implies exploitation. Or does it? Is our English liberal objection to formal hierarchy simply a prejudice? As heirs to the confused philosophies of the American and French Revolutions most Europeans are inclined to take for granted some version of the thesis that *by nature* all men are born equal. We recognise that *in practice* we live in an hierarchically-ordered society in which the economic classes are culturally distinct but, in different degrees, no matter whether we are politically on the Right or on the Left we feel compelled to pay lip service to the doctrine that this is regrettable. We manage to talk all the time as if we believed that hierarchy was a necessary evil rather than an essential quality of human existence.

This valuation of equality is so strong among most peoples of recent European origin that even such a markedly exploitative régime as that at present in control in South Africa feels impelled to justify the theory of *apartheid* by claiming that the separate Bantustans are intended to be equal though different.

But this post-eighteenth century European doctrine is not a human universal. The Indian caste system (which in one version or another has managed to survive for well over two thousand years) is based on the contrary proposition that hierarchy is part of the natural order of things. Indian caste

ideology is comparable to that of South African *apartheid* in that cultural difference is treated as the equivalent of species difference—members of different castes are felt to be as distinct from one another as cats and dogs—but in the Indian scheme there is no suggestion that separate castes should be linked in a federation of equals. The structure is *fundamentally* hierarchical and it would be a contradiction of the caste order to suggest that it could ever be by anything else. Perhaps you feel that this is shocking. How could a society in which discrimination is part of the basic ideology have any merit at all? But liberal-minded Englishmen need to be cautious before they assume that their own scheme of things is any better. I shall come back to that.

Finally, *ideal type three* is that of 'separate coexistence'. Only a few centuries ago a majority of the total human population of the world lived in economically self-sufficient communities of a highly specialised kind closely adapted by technology and traditional skill to their immediate ecological environment. Most such specialised cultural systems have now disappeared but a few survive in extreme ecological conditions—nomads in the Sahara, Amazonian Indians, remnants of past cultures among the Eskimo, the Australian Aborigines, the Bushmen, and so on. In such cultural systems approximate self-sufficiency is intrinsic. Any close interaction with neighbouring communities leads automatically to cultural destruction and sometimes to the destruction of the human population as well. Under contemporary conditions most of these situations relate to very small human populations. But they are romantic and photogenic and the weekend colour supplements ensure that we shall not entirely forget their existence.

The resulting propaganda, which emerges from organisations such as Survival International rather than MRG, is paternalistic. Explicitly or implicitly the argument is advanced that when a 'primitive society' of this sort exists within the political frontiers of a modern sovereign state the Paramount Power has an absolute moral duty to preserve and protect the primitive minority. The rationale of the argument is the same as that which says that when a wild animal species is likely to become extinct it should be protected by legislation and kept in existence in a game reserve or even in a zoo.

But can such doctrines really be applied to human beings? The moral issues are extremely complicated and it seems to me that very few of those who issue propaganda pamphlets on the subject have really thought the problem through at all.

But now I am going to change the subject. I shall return eventually to the practical problems surrounding cultural integration and its alternatives, but first I want to say something about the moral premises which underlie the MRG attitude to these problems. Meanwhile, I should like you to keep my three ideal types in mind as well as the philosophical doubts that I have already raised.

In a printed hand-out which summarises the 'origin, aims, reports' of MRG, an early reference to 'discrimination against cultural minorities' is modified by stages until, at the end, it is said that the aim of MRG is 'to secure justice for *minority or majority* groups suffering discrimination'. Why this change of emphasis? I suggest that this seeming equivocation arises because the English liberal conscience, nurtured on Benthamite ideas about the 'greatest happiness of the greater number', which were in turn generated in the political cauldron of the French Revolution, finds the concept of 'minority rights' an emotive and very sensitive point. The whole structure of liberal democracy, as it has become enshrined in British institutions since 1790, rests on the proposition that the Will of the Majority shall prevail. The *minority* has *no* rights. In accordance with this doctrine we have developed elaborate electoral procedures which are designed to select candidates who represent *majority* opinion. These elected representatives then sit on all kinds of committees where once again it is assumed that the *correct* decision will be reached by discovering *majority* opinion on the basis of one man one vote. Throughout our system it is taken for granted that, for the time being anyway, any elected *majority* has a perfectly legitimate right to discriminate against its minority opponents in any way it chooses.

Now this belief that majority opinion is 'right' cannot be justified by any process of rational calculation; it is simply maintained as a religious dogma. There is no *reason* whatsoever to suppose that the decisions of elected majorities are likely to be wiser or more just than decisions arrived at in any other way, nor is it at all obvious that the social systems which have resulted from nearly 200 years of the practical operation of this kind of thing are in any general sense 'better' than societies of very varied types from other parts of the world which arrive at political decisions by entirely different means.

The relevance of all this in my present context is this. Because democratic liberal Englishmen like to believe that the ethics of government by *majority* is an ethic of fairness and justice, it touches us on the quick whenever anyone raises a banner proclaiming justice for *minorities*. For, after all, as soon as you come to think about it, it is quite obvious that government by majority can never be 'fair'. The conventions of parliamentary democracy may be *tolerable*, but no one could reasonably suppose that it is fair or just that 49% of the population should have no share in political decision making whenever the other 51% are opposed to them.

So there is something quite paradoxical about parliamentary democrats getting themselves worked up about the rights of minorities.

However, once you start looking around the world for actual examples of political behaviour which are likely to give grave offence to the liberal Englishman's sense of justice and fair play, a curious fact emerges. By and large it is *not* disfranchised minorities which are suffering discrimination at the hand of properly elected majorities; it is just the other way about.

Government is mostly in the hands of a minority which has successfully twisted the rules so that it can discriminate against the majority. So almost as an afterthought, MRG seems to have become schizophrenic; the objection to discrimination has become all embracing; it covers not only 'justice for suffering minorities' such as the Burakumin of Japan but 'justice for suffering majorities' such as the Blacks of Rhodesia.

I have to confess to a feeling of distaste for self-righteousness on such a global scale. By the criteria which most of us would be inclined to accept, injustice and discrimination exists everywhere, but do the members of MRG really claim that the Englishman's idea of justice and fair play is a human universal corresponding to a kind of Platonic natural justice, which exists 'out there' in the mind of God, irrespective of the structure of the human society to which it is supposed to be applied?

Of course I am well aware that over the past 2500 years European philosophers and theologians have been persistently maintaining that principles of natural justice of just this universal kind exist and are discoverable, though they have seldom agreed as to just what they are. But from my anthropological point of view such assumptions are quite unacceptable. The observable facts of the case are that, although every human society sets great store by the system of moral values in terms of which its own political and legal affairs are conducted, these moral systems vary enormously; indeed it is extremely difficult to detect *any* moral principle which is *universally* held to be valid.

That being so, the liberal democratic Englishman's feeling that he can detect injustice and discrimination by inspection can only be justified on the basis of a belief in moral progress. He must claim that the structure of European capitalism in which government by committee majorities has grown up and flourished represents the culmination of human history which enshrines natural justice in its pure form.

So as an anthropologist I have to pose this question to MRG: Is it not the case that in seeking to impose your British liberal ideas of justice on alien situations which you do not fully understand, you are engaging in a 'moral imperialism' which is only half a step removed from political imperialism? This is not just trivial hair-splitting, or a play of words. It matters. Before you start lecturing others about the limits of tolerance and discrimination, you need to be carefully introspective about your own scheme of values.

In the nineteenth century, Christian missionaries destroyed the primitive cultures of the world with reckless confidence whenever they encountered customs which conflicted with their own sense of sexual propriety or the sanctity of human life. Yet the Christian moral system which justified this cultural destruction was essentially the same as that which made it seem justifiable to drop the Hiroshima bomb or to conduct the more recent and more systematic bombing of Vietnam and Cambodia. It is easy to arouse

moral indignation and a sense of self-righteousness by recounting tales of Hitler's gas chambers and concentration camps. But to a detached observer it might well appear that the actions of those who have sought to spread or defend the values of liberal Christian democracy have been just as criminal.

Here is another item from MRG's formal credo:

MRG believes in the intrinsic value of making the truth known in the many cases where accurate publicity leading to an informed public opinion is the only hope of redress.

Why do they believe this? Are they confident that 'informed public opinion', if it knew the truth, *would* direct its energies to redressing injustice in any objective sense? If they are appealing to a *British* sense of justice, well and good, but how can informed public opinion *in England* affect the social conditions of the Burakumin of Japan unless the operation is seen as one of moral imperialism?

Let me reiterate my own position. I hold that there is no such thing as a moral absolute. Every human culture has its own system of moral values. Contrariwise, every system of moral values which can be dreamed up, including that which is propounded by the Minority Rights Group, is simply a by-product of the cultural system within which it is generated. Anyone who tries to be a missionary, spreading his own scheme of moral values outside the boundaries of the culture of which he himself is a member, is engaging in moral imperialism. He is saying: 'I know best', 'I am a superior person', 'the others whom I seek to convert to my way of thinking are inferior; *their* cultural system is altogether inferior to mine. Long live English, liberal, protestant Christian, capitalist, democracy!'

Now I know one doesn't *think* of oneself as a proseletising Christian democrat of this kind, but that is the nature of human culture. When we respond to cultural drives that is how it seems: *our* culturally—determined behaviour *seems* to us 'natural', 'logical', 'sensible', and above all 'right'. But if one happened to have been brought up in some quite different culture, it would all seem quite different.

So what? The implication is this: You need to realise that the moral doctrines embedded in the ideology of the Minority Rights Group are *your* moral doctrines, they are also *mine*, they are part of *our* culture, they are not part of Universal Truth. If you wish to defend these moral doctrines you must do so because you believe that we are right and that the others are wrong. But that is a personal prejudice, a religious faith; reason is *not* on your side; and history is quite definitely against you.

Let me quote again from the MRG manifesto which I have cited before:

MRG believes that it can make a valuable contribution to international progress by providing reliable and impartial information, and by building up knowledge and experience about

victims of group prejudice—thus helping to secure greater respect for human rights everywhere. Any advances in this field will be gains for the world's civilisation and peace in our age.

Fine sentiments indeed, fully worthy of the London School of Economics around the year 1900, but does anyone *really* believe in the Idea of Progress in this simple-minded nineteenth century sense? The trouble with this use of the word 'Progress' lies in a failure to distinguish between the *technological* and the *social*. Progress in technology goes ahead all the time and probably accelerates. We are told that half the scientists who have ever existed in the history of the world are in active practice at the present time. Space travel, communication satellites, computers . . . there seems to be no end to the 'marvels' of high technology. And of course they are very important. Because of technological progress we live in a different world from that inhabited by our forebears, and our descendants will live in a different world from that inhabited by ourselves. Moreover, these scientific and technological developments are cumulative . . . as time goes on we know more and more about the material nature of the cosmos and to a greater and greater extent we become capable of manipulating our immediate local environment to suit our short-term local convenience.

But the concept of *social* progress is something altogether different. If we knew what it was, how should we measure it? Human society changes all the time, and, in some respects at least, changes in technology determine the forms of those changes, but is there *really* any sense in which it can be argued that human society—or any part of human society—in the late twentieth century is 'better' than any part of human society at any previous period of human history? We have better gadgets but do we have a better society?

The MRG manifesto implies that we do, or at any rate it implies that there are criteria on the basis of which it should be possible to make absolute judgements as to whether a particular society 'A', existing at a particular time in a particular place, is 'better' or 'worse', 'more advanced' or 'less advanced', than some other society 'B' existing at some other time at some other place. My difficulty is that I do not share this view; I do not believe that notions like 'international progress' and 'gains for the world's civilisation' have any practical meaning; they are just slogans which evoke emotion; they have the quality of declarations or religious faith; they do not provide a guide to any particular form of action. The Idea of Progress is 'good in itself', a desirable end, even though you do not know what the end may be, and since the end can always be held to justify the means the *goal* of Progress can be held to justify anything you like. It has done so in the past, and it can do so now. From my point of view anyway, the merits of MRG have nothing whatever to do with what such activities may or may not contribute to human progress.

So let me take a different tack. Please accept the fact that for personal reasons, because I was brought up in the cultural environment of English, protestant, capitalist, middle-class, democracy, I share the assumptions of MRG that 'discrimination against ethnic, religious and cultural minorities (or majorities)' is a bad thing and that the 'victims of group prejudice' will be benefited if I publicise the facts regarding their persecution. Does this help me to know what I should do? How do I decide what constitutes persecution and who are the victims of group prejudice? This is much less easy than it might seem, as indeed eventually emerges from the MRG reports themselves, or at any rate from the best ones.

The more sophisticated the MRG investigation becomes the more confusing is the issue of who is discriminating against what. The 'rights' and 'wrongs' of the situation will not emerge from the facts of the case, but simply from the prior prejudices of the investigators. Any idea that the pursuit of 'reliable and impartial information' will always reveal a clear cut distinction between the good guys and the bad guys is an illusion. On the contrary, the more reliable and the more impartial the information the more it will transpire that everyone concerned feels perfectly justified in acting as he does, according to his own lights, and that we can only distinguish between good and bad actions by applying our own prejudiced scheme of values... at which point the notion of impartiality disappears. It is *we* who have the prejudices!

The viewpoint I have been expressing here will strike some of you as cynical in the extreme but the dilemma is one which is very familiar to all fieldworking social anthropologists. The normal task of any social anthropologist in the field is to study the culture of a minority which is, in nearly all cases, in political subjection to a paramount power of quite different culture. The anthropologist pursues his task by participant observation. He learns to speak the local language and he learns to understand local custom by becoming, so far as possible, a participating member of the culture group which he is trying to understand. If he accomplishes his task successfully he will come to understand the alien culture as a *moral system*, autonomous in its own right and distinct from the anthropologist's own system and also distinct from the moral system operated by the local paramount political power. The odds are very strong that the circumstances of the field situation will lead the anthropologist to 'take sides'. All sorts of factors will serve to reinforce his feeling that the people he is studying are the 'victims of group prejudice' who are being persecuted by the evil agents of the paramount political power. But the 'objective' status of such 'feelings' is very difficult to assess. It simply leads back to a quite unanswerable question: in what circumstances does a group have the right of self-determination as against the rights of the larger political power within which it is encompassed?

Since the last World War the British Empire has collapsed. Most individual Englishmen have justified the associated events to themselves by saying that it was morally right that the component parts of the Empire should have a right of self-determination. But if this principle is universally valid where do you stop? Why not accord political independence to Scotland or Wales or Yorkshire or Hogs Norton? Almost any community however small is capable of feeling that it is culturally different from the community next door and that it is the victim of group prejudice and exploitation by the existing encompassing paramount power. Gathering reliable and impartial information will not help you to decide whether such feeling is *justified*. Justification cannot rest on 'facts' but only on 'prejudices'. It all depends which side you are on—what is murder to a member of the Ulster police is a justifiable act of war to a member of the IRA. Please don't misunderstand me. I am not claiming to be any less prejudiced than the rest of you.

When, as an anthropologist, I work in an alien cultural situation my task is to discover the facts of the case. Among those facts are the tensions and exploitations which result from political domination by the members of one culture group over the members of another. But, having got that far, my role *as an anthropologist* seems to cease; if I go further and take sides, either on the side of the oppressor *or* on the side of the oppressed, I can only do so on the basis of moral values which I myself introduce into the situation from outside. These values are in no way a derivation, or logical implication, from the 'reliable and impartial information' which I claim to have obtained in my role as anthropologist.

It seems to me that those who organise research and publish reports on behalf of the Minority Rights Group are faced with an exactly comparable dilemma. If they *really* collect 'reliable and impartial information' that information will be morally neutral and will provide very poor grist for reports which ultimately have a propagandist objective. For let us be clear, MRG reports *are* propagandist, despite, or even because of, their claim to objectivity. The underlying sociological theory is very old style. At the beginning of this century Emile Durkheim and his associates believed that it was possible to distinguish, in objective terms, between healthy and pathological conditions of society. A healthy society was one tending towards stability and functional equilibrium; a sick society was one which exhibited symptoms of stress in such manifestations as violence, bloodshed and suicide. The Minority Rights Group seems to share this view about social health. It declares that 'ascertaining the *correct* facts is an essential prerequisite for any *remedial* action'. But what is a correct fact? And what is it that you are trying to remedy?

Some of you will protest that this is far fetched. It is 'obvious' that Hitler's gas chambers were monstrously evil. It is 'obvious' that the genocide of Amazonian Indians is a moral crime. It is 'obvious' that nothing but good can

come from giving wider publicity to the facts of the case regarding Biharis in Bangladesh or gypsies in Eastern Europe. But these things are *not* in fact obvious. The actions which seem to you morally outrageous are not morally wrong to the actors concerned. The doctrine that publicity benefits those whose affairs are publicised is a declaration of faith, which is seldom borne out by the event. This does *not* mean that I personally disapprove of the operations of the Minority Rights Group or of the MRG Reports, but I do think it is very important that the 'prejudiced' nature of these reports should be fully understood by those who put them out.

During the last war the radio propagandists on both sides adopted very different styles. The Germans sought to be believed by mixing truth and straight falsehood, while relying heavily on the proposition that if a falsehood is repeated often enough it was likely in the end to be believed. The British line on the other hand was to try to avoid straight falsehood and to encourage credibility by reporting many facts which were distinctly unpalatable to the British side, while omitting all reference to other facts which were even more unpalatable. It seems to me that the MRG Reports continue this style of British propaganda. The danger is simply that those who issue this material should in the end come to be deceived by their own apparatus, so that they imagine that their reports contain not just the truth (which is possible) but also the whole truth and nothing but the truth (which is certainly not the case).

But now let me try to approach the whole issue from a quite different angle and thereby get back to the theme of integration. What are the circumstances in which MRG is likely to feel that there is a *prima facie* case for making a report at all? What leads outsiders to think that there is a minority (or a majority) which is suffering discrimination?

Well first of all we have to presuppose the existence of two *distinct* cultural groups which remain distinct even though the one is encompassed by the political suzerainty of the other. It is easy to get confused as to just what one is talking about. The Basques and the Kurds and the gypsies belong to one 'type' of such situation. The overt policy of the encompassing and dominant political power (or powers) has been to destroy the cultural minority by assimilation. The cultural minority has successfully resisted assimilation and the observable political tension and cultural discrimination arises from that fact. If the minority would agree to be assimilated there would be no problem. Why does a minority of this sort have a *right* to go on making a nuisance of itself by continuing to be different? Well it is possible to think up answers to that question but they are not simple.

The case of the Japanese *burakumin*—the people of the ghetto—exemplifies a different pattern. Here it is the cultural values of individual members of the encompassing majority society which reject and thereby perpetuate the values of the minority. The *burakumin* as a group do not

now have any social function to fulfil; in a formal legal sense they have no existence and are not discriminated against. Individual *burakumin* would probably be glad to assimilate to the encompassing society and probably many do so assimilate. It is simply the prejudice of the surrounding society which keeps the remainder what they are. But discrimination of this sort is not a peculiarity of remote and little-understood social systems.

Why pick upon the *burakumin*? If we came nearer home could we ever agree about what are the relevant facts concerning discrimination against the poor, the insane, ex-criminals, Blacks, Jews, women . . . Where does universal philanthropy stop?

Jews in Western Europe pose yet another version of the integration problem. The Jews themselves have long been willing to assimilate into the encompassing *economic* system while claiming the right to discriminate themselves as an isolationist *religious* sect. The intolerance of the surrounding society, though monstrous in its forms, has been generated in large degree by this inconsistency in the behaviour of the Jews themselves. Why should the Jews be entitled to have it both ways?

Jamaicans in Birmingham or Blacks in Brazil provide yet further permutations. Generally speaking, such communities, though readily identifiable by the fact of colour, exhibit no collective 'wish to be different'. Yet they are still treated as different by the dominant élite. In cases of this sort, if we postulate that the group which is being discriminated against has 'rights' *as a group*, we actually encourage the persistence of the prejudice!

The 'minorities' which have been (or are likely to be) the subject of MRG Reports certainly have it in common that they are identifiable cultural groups within a larger encompassing social order and they also have it in common that, either in a political *or* economic *or* social sense, they are discriminated against, but there the similarity ends.

There are cases where a kind of abstract justice might suggest that the 'solution' to the issue of discrimination must lie in cultural assimilation, but in others just the opposite is the case: often it is the *threat* of cultural assimilation which itself constitutes the problem of the injustice. And we are easily confused by such ambiguities. Let me cite an example of the sort that constantly worries anthropologists.

In his book *On Aggression* published some years ago, the ethologist Konrad Lorenz claimed that anthropological study had shown that:

head-hunting is so interwoven with the whole social system of some Bornean tribes that its abolition tends to disintegrate their whole culture, even seriously jeopardising the survival of the people.

MRG, so far as I know, has not yet rushed to the defence of head-hunters on grounds of discrimination, but why not? Do not head-hunters and cannibals have a 'right to exist' just as much as Christians in Russia or Amerindians in the Amazon? Anyway, what has *in fact* happened in Borneo?

Head-hunting *has* been abolished by external political force; the culture of the former head-hunters has thereby been destroyed; the 'survival of the people'—*considered as a minority community* has indeed been jeopardised, but in purely statistical demographic terms there has been an upsurge of population of quite embarrassing dimensions.

In point of fact, if we leave out the Amerindians, nearly all the persecuted minorities so far studied by MRG are *increasing* in numbers not only in absolute terms but also in relation to their encompassing society, though the *cultures* of the minorities are mostly under threat or being actively destroyed. How does *this* affect our judgement of the situation?

Well, from one point of view it reinforces the original MRG thesis that, whenever these contentious issues are being discussed, it is important that the discussants should be armed with 'the facts of the case'. And that of course is what the MRG Reports are supposed to provide. But I think my argument also suggests that there are some extra dimensions, some extra *varieties* of 'fact', which need to be taken into consideration.

The problem of minorities in its most general form—treating the concept of 'minority' in the manner which is adopted by MRG—is 'why does the problem exist at all?' And the most general answer to that general question is: 'Because there is *no* assimilation (or because there is only *partial* assimilation) by the culture of those who are politically dominant of the culture of those who are being discriminated against'. The 'minority' has not been 'integrated' into the larger whole. Therefore it continues to be a thorn in the political flesh.

If we then ask: 'Why is there this failure to assimilate?', we may get a great variety of answers according to the particular situation and according to who asks and who answers the question, and this I suggest is where MRG Reports have hitherto been somewhat deficient. They have tended to assume that the just or 'right' solution is one in which integration does *not* take place, and that in a just world the failure to assimilate should be accepted by the dominant group without argument and without 'discrimination'. But the three ideal types which I talked about at the beginning of the lecture suggest that the problem is much more complicated. The concept of discrimination is, in some respects at least, a function or reflection of the barriers to integration which have been set up on both sides. So 'justice' is ambiguous.

Let us consider briefly a case which has *not* so far been the subject of an MRG Report—that of the Australian Aborigines.* The Australian Black Fellows have been the victims of a century and a half of vicious discrimination, based originally on the proposition that they were not really human at all, and subsequently on various doctrines (which still persist), concerning their innate intellectual inferiority and so on. Not so very long ago it seemed that the problem would resolve itself, since the Aboriginal

* subsequently MRG Report No. 35—see Appendix

population would be exterminated. Not only would Aboriginal culture disappear but the Aboriginal population as well. But today there is a large and increasing population of mixed bloods and, in so far as pure blooded Aboriginals can be identified, they too appear to be increasing in numbers.

Aboriginal *culture* has already been nearly destroyed but not entirely. The remnants that survive are historically and ethnographically very interesting and seemingly satisfying to those who belong to such cultures. However, the majority of those who are either wholly or partly Aboriginal by biological constitution now spend most of their lives either on mission stations (where on the face of it they lead a very unsatisfactory kind of existence) or else in the status of a very low caste semi-squatter population, living parasitically on the fringes of Australian urban centres. A minute proportion of pure-blood and mixed-blood Aboriginals have assimilated to the White culture—they include such celebrities as the tennis player Miss Goolagong.

As you probably know it is the declared policy of the present Australian Government to 'recognise' Aboriginal land rights and it has established a special commission to set up the ground rules. The Commissioners are leading experts in the field. But what should they advise? How is an Aboriginal to be defined? What is the long-term objective of the exercise? Should the Commissioners assume that *ultimately* there will be *complete* integration along with the *final* destruction of traditional Aboriginal culture? Should they aim at the protection of the residue of that tradition? If we talk about the 'rights' of the Australian Aborigines (as against the rest of the Australian population) what rights, and whose rights, are we talking about, and what is the justification for claiming that such rights exist at all?

The Australian case is a relatively simple one. The numbers are small, and there are relatively few variables. The Paramount Power has an English cultural tradition. If we *could* all agree that one and only one course of action was right and proper in this simple case, in the present situation, then it should be fairly easy to extend the argument to other more complicated cases such as those looming up in New Guinea and elsewhere. However, although a large number of very serious and fair-minded people have researched on the Australian situation and reflected on the outcome with great care—there is *no* agreement among 'the experts' about what 'ought' to be done. Judgement about 'ought' does *not* derive logically from a study of the facts of the case but from prior prejudices of the commentators.

Even so, it is better to have knowledge of the facts—in so far as they are knowable—than to base all one's judgements on ideology pure and simple without reference to the facts at all. And to that extent at any rate I would passionately defend the characteristically British empiricist stance which is represented by MRG and all its works. Let us have as many MRG Reports as we can get—but don't be over-optimistic about the responses that they may engender, even among men of goodwill in the English-speaking world.

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CHAPTER 3

The Roots of Prejudice

BY PROFESSOR MARIE JAHODA*

One of the by-products of the current turbulent crisis of values in the Western World is the fact that words change or even lose their meaning while we continue to use them as if the world had stood still. It has not. And to the oil crisis, inflation, recession—or should I say depression?—is added the danger of a Tower of Babel where what we hear is not what is said and what we say is not heard.

This linguistic confusion has been growing for some time in the topic which concerns us here: race relations and prejudice. Let me give you some examples. Race: in modern biological thought race is a concept applicable only to a defined population which does not freely intermarry with others. Such a population has a characteristic frequency distribution of genes, but it is well known that differences in intelligence, characteristics and abilities of all kinds are far greater within a race so defined than between races. Yet in popular language race determines unequivocally the attributes of an individual, even though he may be in the centre, at the extreme or anywhere in between on the distribution curve. What is more, anybody you don't particularly like is regarded as belonging to a different race; not only the Negro or Chinese, but the Jew, Catholic, even the Welsh or the Irish. Specifying membership in a racial group is popularly equated with derogation and assumed inferiority of the individual.

It is the census takers with their important social book-keeping task who have to struggle with this particular linguistic confusion. The term 'ethnic' has been suggested as a substitute for race. It may satisfy the purist, but it is popularly neither used nor understood. A decade ago the term immigrant was innocuous enough in this country. But with a large number of coloured people now born here it is clearly meaningless; even worse—it appears derogatory when attributed to a British-born subject. So the birth-place of parents and grandparents was tried as a substitute. But quite apart from the awful connotation of the Nazi definition of race—one Jewish grandmother—this begs the whole definitional question and confuses the results by including the

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children and grandchildren of British Establishment figures, who were born abroad while their parents performed the function of colonial administrators.

Why not use, then, the word that seems operative in the population at large, colour? After all black is beautiful nowadays. But, it emerges, only for a limited number of blacks when they say it themselves. Many coloured people object; many liberal-minded persons, never mind the colour of their skin, point to the association in our culture of black with dirt and with death, or white with purity and innocence, and hence fear the psychological consequences of using the term, particularly for children. To be sure, one fostermother found an easy solution to this by explaining to her Nigerian fosterdaughter and her own, that one was chocolate and the other cream, but it will require a millionfold multiplication of her wisdom before black loses its sinister connotation.

If it is not too ungracious, I want to point out that the society's title—Minority Rights Group—does not escape the linguistic confusion. Not only is there South Africa and Rhodesia where your concerns are clearly with the majority of the population. Not only are there small destructive minorities—in the universities, to take a relatively harmless example, the terrorists to take a frightening one—which threaten the functioning of democratic institutions, but there are also now large and vociferous groups in the population with a considerable share in power who claim to be victims of prejudice and entitled to your concern. The most obvious example is the women's lib. movement. In the same category—but I cannot take it quite seriously—is the recently announced defence group for the middle classes.

There are other examples: twenty years ago the term 'integration' was a great positive battlecry; it is now disowned as an insult by many, while others continue to strive for it. Or the concept of a multi-racial society. South Africa claims it for their apartheid system. It has acquired a very different connotation in this country but unfortunately no clarity yet: do we mean by it the institution of ghettos under a more appealing name? Do we insist on English as the common language or do we envisage, as has been demanded in the Midlands, e.g., that A-levels be taught in Urdu? And in case this strikes you as unreasonable, where is the difference to A-levels taught in Welsh? Or is there no difference?

There is no easy solution to these semantic ambiguities, let alone to the underlying conflicts of which they are a symptom? To have introduced them here serves a double purpose: first, it is an excuse for pedantry, for before talking about its roots I shall have to introduce a working definition of what I mean by prejudice, which is after all just another ambiguous term. For as the recent case about coloured membership in a workingman's club has shown, what one person calls prejudice, another calls the inalienable right to choose his 4000 most intimate friends.

Second, the demonstration of the confusion on the linguistic level serves me

as a justification for the particular approach I am adopting to the understanding of prejudice: it consists of an application of psychoanalytic theory. In the confusing and shifting terminological habits and manifestations of prejudice it makes sense to me to use a theory which deliberately points below surface descriptions to some more or less enduring features of the human condition; which is concerned with the meaning of action and experience, not with the mechanics of behaviour.

Psychoanalysis is such a theory of meaning, even though it is far from a perfect one. Indeed, paraphrasing Churchill's statement on democracy, it is the worst theory—apart from all others that have so far been proposed. Of course there are other legitimate approaches to the study of prejudice. But no political, historical, sociological or economic approach, whatever else their merits, can in the long run dispense with at least some tacit assumptions concerning the psychological meaning of prejudice to those who express race hatred. Yet some of the best people working to reduce prejudice regard a psychological approach, let alone a psychoanalytic one, as an unwarranted luxury. They point to the enormous range of the phenomenon and its far-reaching consequences. How can the understanding of the prejudiced individual hope to make a contribution to the enormous task of dealing with prejudice?

At best, these anti-psychology critics in the race relations field regard such an approach as perhaps interesting, but certainly not useful. I believe there is a fallacy in such reasoning. Understanding the motives of the individual does not imply that prejudices can only be curbed by treating individuals. Not understanding the motives of human beings, on the other hand, may lead to ineffective social measures. The confusion in the human sciences about the relations of the various disciplines to each other is, unfortunately, just as great as the confusion in the field of race relations and prejudice. I shall make an effort to avoid the reverse fallacy which would consist in denying the social realities on which prejudice depends.

Indeed, an understanding of the psychodynamics of prejudice is predicated upon looking at those features of the real world which strengthen or weaken our personal conflicts, encourage us to express them in action or repress them. In that sense a psychoanalytic interpretation of prejudice can become a guide to policies in race relations, one that seems to me more promising than, for example, vulgarised Marxism which identifies the roots of prejudice in the class structure of society, and leaves it at that.

But first, the definition of prejudice. There exists a large body of empirical evidence of the justifications people give for their wholesale dislike of various social groups. You know them as well as I: the Blacks are inferior, unintelligent, childish, oversexed, dirty, immoral and have a bad smell. The Jews are greedy, moneygrabbing, over-emotional, capitalists, communists, don't do manual work and are far too successful. There is some anecdotal

evidence that in the years when some Russians wanted the Chinese workers and students in Moscow to go home where they came from, some of these anti-semitic stereotypes were used against them. This is hardly surprising, given the uninterrupted practice which many Russians have in anti-semitism proper.

Before using the utterance of such unfavourable stereotypes as an implicit definition of prejudice, a serious question arises: are these perhaps appropriate applications of the biological race concept, that is, are they realistic descriptions of what a majority of Negroes, Jews or Chinese are like? There is, after all, very good reason to assume that groups who do not intermingle freely develop distinct characteristics. Indeed, when it concerns, for example, the alleged superiority of Frenchmen in matters of food and sex, we have a nicer name for it, national character, and do not query the motives of those who remark on it. When unfavourable stereotypes lead to hostilities toward a group, this is most likely a further factor inducing similarity of behaviour and experience in the target group. It is, after all, quite possible, that Jews became interested in money matters because the hostility of their host communities excluded them from other occupations. But they are no longer so restricted, and they now work in many countries on all levels of the occupational hierarchy, not only in Israel.

Yet the truth of the matter is that we, who call ourselves unprejudiced do not know any better than they, whom we call prejudiced, what the actual frequency of the host of stereotypes is, which are regularly applied to Blacks, Jews, or other groups. Since undesirable attributes are all too frequent in all human groups, perhaps those who use these stereotypes make a perfectly reasonable inference from the unlucky chance of having met a dozen or so over-sexed Negroes, greedy Jews and grabbing Chinese. If racial antagonism were indeed based on such generalisations from direct experience—in psychoanalytic terminology, based on adequate reality testing—its cause would have to be sought in the chance occurrences of the real world and not in the motivations of the prejudiced.

Given, then, the recognition that groups do indeed differ from each other and that those whom we call prejudiced claim to respond to such real differences, given that there is no way of knowing the full distribution of psychological attributes in a group, the definition of prejudice becomes a question of distinguishing it from rational inference. I suggest that we speak of prejudice only when it can be demonstrated that reality-testing was inadequate.

To determine the adequacy of reality-testing is not an easy task, but there is nevertheless steadily growing empirical evidence to show that inadequate reality-testing is indeed characteristic of many who feel antagonism toward an out-group.

Let me give you one or two examples. If adequate reality were the reason

for hostility, those who live next door to members of another group or work with them should be more hostile than others. *De facto* all relevant research shows, that such regular contact experiences with members of another race tend to reduce hostility when members of both groups have equal status and common concerns in the transactions of daily life. Measures of prejudice are lowest among those who have both neighbourly and work experience with the out-group. Many years ago an American psychologist demonstrated total absence of reality testing in prejudiced people by inventing non-existent racial groups, the Danireans and Wallorians and discovering in a survey that many were as reluctant to let their daughters marry one of them as a Jew or a Negro. The notorious anti-semitic phrase 'some of my best friends are Jews, but . . .' epitomises the lack of reality testing in the wholesale condemnation of a group. But of course, there is much reality which we are not equipped to test. When I am inclined to believe that the fast nuclear breeder is dangerous, I rely on vicarious reality-testing by adopting the arguments of an expert I trust. Similarly, a child will believe as readily that Negroes are lazy as that the earth is flat, if a trusted person tells him so. When an adult member of our society claims the same privilege of ignorance and hence the right to conform with those he trusts, in matters of group antagonism against groups living in our society the situation becomes somewhat more complicated. Admittedly, a conformity of convenience to prejudiced views is possible.

The crucial distinction between it and prejudice proper with its hidden psychological roots can be made when such persons are confronted with evidence to the contrary of their allegedly secondhand views. Motivated prejudice reveals itself in peculiar deviations from logical reasoning. Many years ago when the New York City government made propaganda for integration, it used in the subways a cartoon depicting a group of happily playing white children and in the corner a sad little Negro boy. The caption read: Prejudice hurts innocent children. In a study of the effectiveness of such propaganda we came across in several variations the following interpretation: 'Of course the Negro boy is sad because he has no Negro children to play with; Whites with whites, Negroes with negroes, this is how it ought to be'. It is this type of distorted reasoning which distinguished prejudice from the simple repetition of the views of others.

In societies whose total social fabric has for generations been so permeated with the belief in racial superiority and inferiority that they have succeeded in restricting racial groups to socially inferior positions, conformity to prejudice is made easy because it is apparently supported by a kernel of truth. But even in South Africa adequate reality testing compels some to oppose the official doctrine. We do not live in such a society. Nevertheless racial antagonism is widespread here and reality is often distorted and its testing actively resisted.

Psychoanalytic theory assumes that such resistance has meaning in that it fills a psychological function. The dislike of the out-group is justified by

rationalisations, that is to say by socially acceptable pseudo-reasons which serve to disguise the function prejudice serves. This should suffice to distinguish it from erroneous judgement or vicarious reality testing. Thus, prejudice in the strict sense is an irrational attitude meeting a psychological need and is therefore irreversible by rational argument or evidence to the contrary. In psychoanalytic terminology it is a defence mechanism, a projection of what is wrong in oneself on to others in an effort to deny inner conflict. It is reasonable to assume that everybody, prejudiced or unprejudiced, healthy or sick, uses defence mechanisms. Their existence is a sign of seeking health, not a symptom of illness. There is good evidence to show that it will not do to regard the prejudiced as emotionally more sick than most of us are. But when defence takes the form of race prejudice, a social evil of such dimension is created, that it becomes intolerable in a world that aims to be civilised.

Why do the individual attempts to defend a precarious psychological equilibrium so often take the form of prejudice? Given its existence in so many societies, one must assume that it represents an effort to deal with a basic, perhaps a universal human conflict.

A first clue to the nature of this conflict stems from studies relating prejudice to social status. It is found among the poor and the rich as well as in between, albeit in different proportions. But it is apparently strongest among those who are socially mobile, downwards *and* upwards. That downward social mobility should lead to frustration which brings to the fore all sorts of conflicts for which it is easier to blame others than oneself is readily understood. But why should prejudice be intensified by upward social mobility? What is the common denominator of these two experiences? Any change in our external life circumstances brings us face to face with the question of our own identity. In the life-long effort to acquire, maintain and develop one's personal identity familiar external circumstances are useful props. One's name, nationality, home, occupation, habits and relations with others define who one is. Any sudden change, for better or worse, removes these props and gives rise to insecurity and anxiety about one's identity. In such psychological states the seemingly clear-cut identity of others is envied and resented. Well-defined and visible social groups become an easy target. The well-known and well-criticised, though still valid, study of the *Authoritarian Personality* and subsequent research support the idea that the prejudiced person expresses in his attitudes an attempted defence against the discomfort stemming from deep-rooted conflicts about his own identity.

Psychoanalytic theory maintains that the identity conflicts is almost universal and certainly inevitable in early childhood. It is inherent in the social function of parenthood that the process of acquiring a sense of one's own identity should be fraught with difficulty, at least in Western civilisation. Not only bad and rejecting parents make it hard for the child to feel secure in

himself. Every parent has to control, reject, demand, restrain or punish in order to make the child meet the standards of society into which he was born. When impulsive behaviour meets with adult restrictions doubts arise in the child's mind about his own worth, that of his parents or both. He may feel unloved or even unloveable. But even when these doubts are conquered, the child's unfolding abilities, experiences and aspirations induce in him a continuous re-assessment of his own identity.

In his psychoanalytic ego psychology Erik Erikson has made this the central process of inner development from infancy through adulthood. To the extent that the early insecurity remains, a person experiences the visibly apparent clear-cut identity of others as evidence of his own personal failure which is deeply resented. If he can convince himself, however, that even while clear cut, the other's identity is inferior, the comparison is easier to bear: at least he is not a Jew or not a Black, however uncertain he is about everything else. Being visibly different is then an attribute of an out-group member which is both a threat and a help to the individual so troubled. Threat—because what others have and he has not confirms his worthlessness; help—because if their identity can be made out to be inferior, his own identity is at least not *that* bad. The visible out-group member is thus the object of both envy and repulsion. That this is not just a plausible construction is evidenced by a variety of studies and case histories which show that prejudiced persons, compared to others, have had particularly severe early identity conflicts, often exacerbated by conflicts between their parents, and have retained this basic insecurity in adulthood.

Much the same processes occur also, of course, also in members of racial outgroups. They too are fated to experience identity conflicts. Indeed, in them the conflict is kept alive by experiencing from the prejudiced members of the dominant group a constant onslaught on the worth of their own identity. How foolish that we teach our children that sticks and stones may break bones but words can never hurt. When it is a question of one's own identity, humiliation in words is a devastating experience, arousing violent feelings, and often violent action.

Members of under-privileged out-groups deal with their identity conflict in a variety of ways, not all of them comparable to those of the dominant group, but all equally irrational. Studies of black children given white and black dolls to ascertain their preferences in, for example, arranging a birthday party show a frightening proportion of preferences for whites—a case of self-rejection, a denial of their own identity, an identification with the aggressor. Indeed, colour prejudice among the coloured, anti-Semitism among Jews are no rare occurrences; these, too, are defence mechanisms, however spurious. It is as if such a coloured person or such a Jew tried to demonstrate that he can't be a typical member of his group since he hates its alleged qualities. With the peculiar logic of psychological events this attempted defence of their own

identity in fact involves its utter destruction. With the equally peculiar logic of social events, a slight power shift in favour of the oppressed groups does not bring, at least not immediately, psychological relief.

The U.S. Supreme Court decision in 1954 against segregation in schools initiated social processes which were undoubtedly beneficial for some; but in others they stopped the identification with and imitation of the aggressor only to replace it by the mirror image of white prejudice in the militants of the Black Power movement. If black is beautiful, white is ugly. If black psychological identity is uncertain, the destruction of white identity should at least remove the constant reminder of one's own alleged and half-believed inferiority. The social evil created by black racism could be as destructive as that of white racism, however psychologically understandable they both are.

In these unending efforts to come to terms with oneself, the establishment of one's sexual identity plays a crucial part. Unresolved conflicts in that area may well be the most frequent source of anxiety and insecurity in adults, notwithstanding the new permissiveness in sexual matters. Some of the excesses of the women's lib. movement, gay or not so gay, betray the widespread existence of such individual sexual identity conflicts, and hamper rather than help to bring about the necessary changes in the social position of women.

There is here neither time nor a need to present to you in full detail a description of the psychoanalytic reconstruction of the complex emotional and cognitive processes which occur in the early acquisition of one's sexual identity. Let me just remind you of the reason why these processes are so immensely difficult: while the child is capable of experiencing the full range of human emotions, his cognitive abilities are not yet developed so that he cannot easily grasp the adult world's surprise-free acceptance of the fact that mankind exists in two varieties, men and women. He discovers it for himself and provides his own theories. However factual or fanciful these may be, they compel him to contemplate his own sexual identity, the advantages and disadvantages of being either sex, and his attitude to the other. It is hardly surprising then, that all identity conflicts have a sexual component, racial antagonism among them, as is well known.

The prejudiced person's preoccupation with sexual matters is, in contrast to his childhood experiences, overt and on the surface. To wit, his ultimate test-question, rhetorical in that it cannot have an affirmative answer to his way of thinking is: Would you want your daughter to marry one of them? Racial sexual purity is assumed to be an ultimate value. But once again, the irrationality reveals itself in creating logical absurdities. In the USA, for example, the taboo against sex relations with blacks was limited to white women, while casual encounters between white men and black women were the occasion for boasting. How frequently they must have occurred since the first slaves arrived is attested by the fact that only about 20% of black

Americans are estimated to be of unmixed stock. Racial purity is, of course, affected whether the black partner is man or woman. The myth which has developed about the Negro's extraordinary sexual powers is perhaps an indication of the white man's sexual identity conflict, his envy and fear that a white woman might experience more satisfaction with a black man. This final threat to the white man's sexual identity has been assuaged at the cost of all the Blacks who have ever been lynched under the faintest suspicion of intercourse with white women. The by now familiar mechanism of hating in others what is wrong in oneself leads to the intense emotions of horror, disgust and fascination about inter-racial sex relations. South Africa has avoided in its legal system this particular logical give-away of the motivation for prejudice: the Immorality Act does not distinguish between man and woman. Its very existence, however, is testimony to the fact that sexual attraction knows no race barriers. If the temptation were not so great, it would not have to be outlawed and persecuted.

Racial antagonism, according to this psychoanalytic interpretation, has its roots, then, in a deeply meaningful search of the insecure for a solution, however spurious, to the basic problem of personal identity. The question therefore arises: do we have to accept it as an inevitable aspect of our lives? As far as the nature of the psychological conflict is concerned, I'm afraid my answer is yes. The psychological conflict which finds expression in prejudice is universal and will be with us for the foreseeable future. And yet, the fact that not all of us need to defend ourselves by hating out-groups, even though presumably sharing the basic conflicts of human existence, shows that while inner conflict may well be a necessary condition for prejudice to become a social problem, it is not a sufficient cause.

Unless there are racially identifiable groups, who within a given social structure are assigned inferior status regardless of personal qualities, not even the most pitifully insecure and tortured souls would dare to translate their personal conflicts into actions against them. By their very psychological make-up such persons have not the nerve to attack the strong, with whom they long to identify. They need open or tacit agreements by others that a racial group is inferior before they can use it for their personal motives. But they get this agreement all too easily by virtue of the social and historical circumstances which have driven or induced groups of all kinds to try and make their home in a foreign culture. Most of them are willing to start at the bottom, but in the hope that they or their children will become fully acceptable everywhere. Yet their visibility serves not only the economic interests of many natives who prefer somebody else to do the menial jobs, but also their psychological needs; they are an all too convenient projection screen on to which as weakness requires, can be thrown ambivalence, envy, fear and hate. A double reason to keep them in positions which can be stamped as inferior.

Is there then no way out of the vicious interaction between economic and psychological motivation? Is the situation hopeless? In the current climate and with the example of Ulster continuously in our minds, it is all too easy to yield to despair and join the prophets of doom, in this area too. If that were all I had to say, I would not have spoken to you to-night. The intellectual luxury of giving-up should be confined to private life, lest it become a self-fulfilling social prophecy. Let us therefore take another look at the situation.

Take Switzerland as an example. For many decades it has served as an example of how linguistically different groups can live harmoniously together, in contrast to, say, the conflicts between language groups in Canada or Belgium. Neither the French, nor the German, nor the Italian speaking Swiss served the others as a projection screen.

Perhaps the Swiss success story was the result of their far-reaching decentralisation in a country of only 5 million people. However this may be, its exemplary virtue in this respect has been tarnished by the attitude of many Swiss to their recently introduced guest-workers. And yet, its former image and its present dilemma, viewed together, contains perhaps a clue to a humane policy in race relations. If what I have said makes any sense, we must assume that the Swiss had their identity conflicts like all of us, even before the guest-workers arrived in numbers. What did they do about it? Undoubtedly the gnomes of Zurich found different means of striving for identity than the Swiss street cleaners, but the point is that they were all compelled to look for individual ways of dealing with individual problems, since there were apparently street cleaners in all the linguistically distinct groups. There was no visible link between a defined group and inferior social status. The guest-workers were another matter: they were a visibly distinct group, assigned to inferior jobs and position, with whom the various linguistic groups in Switzerland did not identify; thus they became an easy target for prejudice.

A similar lesson some of my students and I learned when we collected life histories from Uganda Asians while they lived in British camps immediately after their expulsion. The overwhelming impression we gained from them about life in Uganda was that the three-tier economic hierarchy there was a strictly co-ordinated racial hierarchy: European bosses, Asian middlemen, African workers, each a conveniently visible target for envy, fear and contempt. The existence of this social organisation is certainly no excuse for General Amin. We all know that the historical and social problems of Uganda are immensely complex. All I wish to point out in the present context is that the coincidence of social status and racial identity is a sure prescription for prejudice, discrimination and social disorder. Even the tragic history of Ulster which appears to be almost beyond the ingenuity of man to change demonstrated the same point: the Catholics there were not just Catholics, but they were the underdogs.

There is a powerful policy lesson for this country implied in these various

examples. True, we cannot eliminate the identity conflict from human experience. True, we cannot envisage, we do not even want to envisage, a society in which all visible distinctions between groups of various colours of skin or cultural identity are eliminated—such a world would be poorer in many ways. But I can see no law of nature that requires the link between such differences and socially inferior positions. To destroy this link where it exists, to prevent its establishment where it is in danger of forming should be a major aim of race relations policy. This, implicitly, defines the nature of a multi-racial society which we must aim for: it is a society in which diverse groups retain their identity without making this synonymous with a given social position. Every visibly distinct group should contain members who participate in the full diversity of social life in the society which encompasses them all.

In order to achieve this several conditions must be met: it seems to me of overwhelming importance that such a society should have a common language. For numerical, geographical and historical reasons we cannot emulate the Swiss in this respect. Without the possibility to communicate with one and all, this aim of full participation can simply not be achieved. English, at least as a second fluently spoken language, is a requirement which must be taken seriously for opening all opportunities to all linguistically different groups in this country. I know that some members of these groups do not agree with me on this point. They will ignore it however only at the cost of strengthening prejudice in the dominant group and cutting themselves off from the chance to lead a full life.

If this is necessary, it is not enough. Just because we know to what dangerous use group distinctions coupled with social distinctions can be put, there must be a policy of positive discrimination, that is a policy of continuous active concern with creating chances for the social diversification of various minority groups. To make this possible it is necessary to know where members of these groups are placed—geographically, socially and occupationally. This, after all, is the justification for the census struggling with the terminological problems I mentioned at the beginning: unless we know whether and where links exist between social deprivation and racial groups' membership, our intention to cut them will remain intentions only.

I am not pretending that knowing where things go wrong makes it easy to find a solution. Positive discrimination presents fearful problems, and its excesses threaten to undermine basic values which we must maintain. In one country which has been plagued by prejudice against many different groups for a considerable time, there is now a danger that the most appreciated qualification for any top position is being a black woman, preferably Jewish. Parenthetically, some of those so singled out for positions feel keenly offended for being used rather than valued as individuals.

But this need not concern us here now; the danger in that direction is

negligible in this country. But even without excesses, serious dilemma is conjured up by the idea of positive discrimination. Lack of opportunity and social deprivation are evils in themselves, whether or not linked to discriminable groups. On the lowest level of social existence it must be fought in itself, never mind the racial composition. Those who are unemployed or unskilled, with large families and inadequate housing require action according to their need, not according to the colour of their skin. For very different reasons the top levels need not concern us either. But the majority of people are somewhere in between—apprentices, skilled workers, foremen, supervisory personnel of all kinds, teachers, police, social workers and so on—and in these spheres there is a great need for positive discrimination in order to establish a multi-racial society as defined. Not to lower standards but to remove actively obstacles which hold back all too many capable people for no other reason than that they belong to an underprivileged group.

This is not the place to spell out in detail the policies which should follow an understanding of the depth of the roots of prejudice, nor would I be capable of doing so. But it is, I hope, appropriate to appeal here to all concerned with the formulation of policy in this area: policies against race prejudice must be spelt out in detail in the full realisation of the profound human conflicts which prejudice expresses.

No lip-service to democratic institutions will be enough to create the sense of urgency which is required in this field, if all of us wish to maintain our identity as civilised human beings.

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CHAPTER 4

Oppression as a Cause of International Violence

BY SEÁN MACBRIDE, SC*

Initially, I should like to consider the question of violence generally, so I will start off by dealing with some aspects of the violence which seems to plague humanity at the moment.

I came to realise that very little thought had been given to the spread of violence and brutality in the world generally. Each time we tend to regard it as *isolated* violence arising from some *particular* cause. But there has been no analysis made as to what general circumstances were responsible for the spread of violence in the course of the last ten or fifteen years in particular. By violence I refer particularly to what could be described as political violence: violence inspired by political motive, as distinct from violence inspired by a personal motive of gain or satisfaction of some passion.

The first thing we have to realise and admit to ourselves is that violence has been growing generally in the world, both political violence and also what can be called criminal violence: both have been on the increase. What is this due to? Nobody seems to have really analysed this. True, we can find many causes for particular cases of violence in different regions of the world, but it seems to me that the main cause has been a breakdown in the various elements that act as a brake on violence.

Human beings generally speaking are violent: every human being is born as a rather violent human being, a violent person. But violence is curbed to a large extent by parental influence, parental control, by education, by discipline, by environment, and so on. So if there has been an increase in violence in the world in recent years, should we not look for the cause of it in the failure of the restraining influences that usually prevent a human being from being violent? In other words, should we not look to the question of parental control, to the question of education and also religion to a large extent as well as to the surrounding circumstances in the world which seem to be conducive to violence?

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To what extent, for instance, did the last war create a situation in which violence was likely to become more prevalent? To what extent did the extermination of Jews during the war break down our resistance to violence and cause people to become inured to cruelty and to brutality? The fact that several million Jews were put in gas chambers horrified us at the time—at least those of my generation. But hasn't that worn off? Haven't we become accustomed to that? To what extent has Vietnam also inured us to brutality and violence?

Among the various factors that have been conducive to the creation of a situation in which violence and brutality have become more prevalent, one factor probably stands out more than any other: it is that we have undergone the greatest scientific and material revolution that mankind has ever undergone in the course of the last 25 years, a revolution which has had tremendous influence in every sphere of human activity. We have hardly realised it because we have been living through it. But there has never been in the whole history of mankind a revolution so great as the last generation's—at every level, medical, scientific, material—and this revolution has had a number of different results. One of them has been the total breakdown in both public and private morality.

To what extent has the discovery of nuclear energy been a cause of the breakdown in public and private morality or a cause in the increase in violence? No sooner was nuclear energy discovered than it was immediately harnessed to new weapons of destruction that are capable of wiping out the whole of humanity. All the young generation and the not-so-young generation have grown up to accept this as a fact of life, that any day nuclear war may break out and that the whole of humanity will be wiped out. What impact has that had on the thinking of the younger generation and on the restraining influences that normally would prevent human beings from resorting to violence or to brutality?

I felt I should begin by pulling out a few of these questions and examining them more closely in the light of particular circumstances in the world as they exist. Naturally, a degree of oppression and injustice will provoke a reaction. The extent and intensity of the reaction will depend first of all on the degree of oppression, and secondly on the extent to which human beings are being violent and cruel in a given situation.

Here, I think we must face up to the situation that governments themselves have largely provoked violence. Governments by their conduct have created situations in which violence was more or less inevitable. Let me take a simple example: Brazil. We all know that thousands and thousands of political critics or would-be critics of the government are arrested regularly, tortured and then released. We know, too, that there are squads organised by the police that shoot suspects on sight. More or less the same thing is happening in Chile now. If you are a person who is likely to be suspected in these

countries and if you know that if you come across this particular squad of police, they will shoot you on sight, you will very likely decide to be armed and to draw your gun first.

So, there is a kind of classical example of action by government, by state authority, which provokes in its own oppression violence in opposition, and I think that this occurs in many areas of the world where people have been denied elementary human rights or where there is an endemic built-in violence in the system. There can be economic violence, violence condemning people to live below certain standards of living, and violence which forces them to accept a given system.

So I think we have to look at a situation where many of the present-day values probably arise from the breakdown in the public morality of governments, in their own excesses and their own tendency to resort to violence and illegal behaviour. Let us also face that, by and large—it is very hard to generalise—governments have behaved immorally themselves, have not set good examples. Take the Nixon period of government: in the United States surely this was bound to lead to a break-down in the respect for public morality? This was not an exception. We have had this kind of thing all over the world, particularly if you realise that at the moment nearly 70 per cent of the governments of the world are military dictatorships that have secured power by the use of force and usually assassination and different illegal methods.

One of the causes of violence, and indeed one of the causes for oppression as well, stems from the lack of moral behaviour on the part of the political leaders of the world—and this we tend to accept much too easily. Normally, it would be the churches, the religions, whose task it would be to maintain certain standards of morality, certain ethical behaviour, but they have been completely overtaken by the speed of the scientific and material revolution, they have not been able to adjust to it, and churches in any case were never devised to be able to react quickly to any situation. They are so built to change very slowly.

Monolithic churches haven't changed, and in many cases the churches were themselves involved with an unjust order; in many cases they themselves were closely linked with a corrupt establishment, an establishment that tried to maintain the *status quo* for the benefit of a certain small section of the people. So, the churches have also failed to correct the situation.

All this sounds rather depressing, but I felt I should draw attention to these matters before going on to emphasise some other aspects that I think are important. Among these is the question of the effective protection of human rights. The leaders of the postwar period, most of whom had lived through the last war and had occupied positions of responsibility, I think foresaw the situation in which we are living now. That is why they got together in 1946 and began to elaborate the Universal Declaration of Human Rights, which is

an extremely important document—probably the most important human document that humanity has produced.

This is much more comprehensive than any other similar instrument; it is much more comprehensive than Magna Carta or the French Declaration des Droits d'Homme, or the American Declaration of Independence, or even than Karl Marx's Manifesto, because it is comprehensive, it comprises every aspect of human relationships, and every aspect of relationships of human beings with their governments, and also it is universal in its application. So to a large extent it is probably *the* most important instrument that humanity has produced, and this was produced with the intention that it should form a new set of standards for governments and for human beings. I think a lot of credit is due to the statesmen of that period who produced it and who believed in it and tried to get it implemented.

But while the Universal Declaration was fine, it was merely a declaration of intent, and it was not binding. The intention of the leaders of that period was to make it binding, and accordingly work started on the preparation of two main covenants for the protection of human rights. Work started immediately after 1948 and continued until 1965. In 1965 two covenants were unanimously adopted by the United Nations after a great deal of discussion of details. But it was not until October 1975 that even one of them acquired the requisite number of ratifications, Jamaica, finally ratified the Convention of Economic Social and Cultural rights, which now forms part of international law with regard to the countries to which it applies.

However, few will have read the Covenant on Social and Economic Rights. It is an extremely important document; and I cannot understand how in a country like the United Kingdom where the Labour movement is strong, where the trade unions are well organised, they have not taken the initiative to ensure that it would be ratified and applied here.

The provisions of this Convention are too numerous to be detailed here, but it forms part of the international law of the world, and I think it would be useful if a greater study could be made of its provisions. For instance, Article 1 provides that all peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 3 states that parties to the present Covenant undertake to ensure the equal rights of men and women to enjoyment of all economic, social and cultural rights set forth in the present Covenant. And it goes on in great detail to deal with the rights of workers, the right to strike, the right to organise trade unions, the right to decent wages, and so on. But I venture to suggest that no trade union leader has even read this Convention, and I would urge very strongly that a study should be made of it and that the Government should be asked why it hasn't ratified this Convention, why Britain should not ratify it.

It would be possible for Britain to ratify certain portions of it at least, if not all of it. The Convention on Political and Civil Rights has not yet been ratified by the 35 countries of the world; it has been ratified by 34 countries and I think it can be assumed that it will be ratified by one other country within a matter of the next few months, probably before the end of this year. Then we will have a Convention on Political and Civil Rights ratified. As soon as it is ratified, machinery will be set up for its application: a Commission of 18 members will be established, with a whole set of powers.

But Britain has not ratified it, neither have the United States or France, and very few of the Western democracies have ratified it, except the Scandinavians. Accordingly, this Commission will be set up largely by the Socialist countries, which may lead to a situation in which the chief guardian of the human rights of the world will be the Soviet Union. I don't think anyone has given any thought to that. It is absolutely fantastic that none of the big Western democracies have ratified it. What is their objection to it? Do they realise that by not having ratified it, they have excluded themselves from being able to participate in the implementation of the mechanism for the protection of human rights?

A strange thing happened too, which was completely anticipated at the time. There is a protocol to the Convention, which enables individuals to make complaints, and that sets in motion mechanisms somewhat equivalent to the mechanism of the Convention of Human Rights. Unexpectedly, it has been ratified and will come into operation automatically as soon as one other ratification is given to the Covenant on Political and Civil Rights. So again here may I urge that a study should be made of the provisions of the Covenant, and that some pressure should be put on parliaments and governments of countries that have not yet done so, to ratify this Convention, or at least to give a valid explanation as to why they will not ratify it.

I felt that this was a matter that deserves close attention because it is only by the development of adequate mechanisms for the protection of human rights that you can avoid forcing minorities into using force in order to rectify the injustices from which they are suffering. In most parts of the world, of course, it is minorities which are oppressed. Here let me pay a tribute to the work of the Minority Rights Group in drawing attention to the various minority issues that exist in the world, and there are a great many of them. Quite apart from minorities, we also have majorities that suffer from oppression, like in Southern Africa where the vast majority of the people are oppressed, specifically and decidedly oppressed, by a white minority. Here again we come to this question as to whether or not violence is justified in these cases. Largely it is a question of degree, but I think it is as well to refer to what President Nyerere of Tanzania said because I think it is a statement which will carry a lot of weight in Africa, and I think it will probably explain

events which are likely to take place on the African continent. He said,

'It appears that in Namibia as in Rhodesia, the African Freedom Movement will have to intensify the arms struggle before any serious negotiation for its liberation can take place.'

So this is again a case where we are faced with a situation that when there is no mechanism, no way in which injustice or oppression can be remedied, then inevitably people resort to violence—to force—in order to rectify the injustices under which they have to live. Then it becomes a question of degree as to the extent to which you are entitled to revolt against injustice, or a degree of injustice which justifies you to armed rebellion or revolt. I would say that in Southern Africa where the whole régime is based on racialism—based on inequality that has all kinds of economic and social repercussions as well (for instance, the statistics for infantile mortality in Namibia are that 350 children out of every 1000 die before reaching the age of 3: that is a tremendously high proportion)—are you justified if you are a parent of children, if you are living there, in accepting these conditions? Or are you justified in rebelling against these conditions?

Again, as we know, there were a number of cases of political supporters of the Liberation Movement in Namibia being arrested, stripped naked, flogged until they fainted. Are you entitled to revolt against that kind of treatment? Are you entitled to revolt against the system that deprives you of the right to education, deprives you of the right to work, and so on?

It may be argued that it is largely a question of degree. But I think we can certainly accept it as basic that wherever you have an injustice, you are likely to have violent conflicts. The only way in which you can obviate a course of violence is by providing an alternative mechanism, and that alternative mechanism is not being provided at the moment in most parts of the world.

May I end by saying that I was also glad to see that President Nyerere made reference to the events in Angola. It is very hard to avoid the suspicion that South Africa is not interfering in Angola in order to pursue its colonial aims or at least in order to try and divide the African Liberation Movements and possibly the African states as well. President Nyerere referred to the fact that South Africa was using Namibia as a base for its military operations in Angola and as a staging-post for organising mercenary activities in Angola. All the information that is available to me tends to confirm this. Therefore we may well have the start of a situation in which Angola may become a second Vietnam, and we may have a long protracted war which would have the effect of dividing Africa in the same way as the Vietnam War divided South-East Asia. Now is the time to face the fact that there are dangers in that situation and to try and stop it. It is very difficult for the United Nations to take any action towards this, as most of the major powers in the Security Council are directly involved in the Angola conflict now.

CHAPTER 5

The Value of Minorities

BY RT. HON. LORD GRIMOND, PC*

The theme of this chapter is that minorities are often valuable. I regret that this is not stressed more today.

It is typical of the British in their present defeatist mood to see minorities or immigrants as problems. Everything is a problem for us, if it is not that even more depressing chimera—a challenge. Minorities in too many countries are considered a source of trouble. In too many countries minorities are treated as peculiar. And even in countries which make a conscious effort to be nice to minorities, their peculiarities, and often the burden which the majority feel they shoulder in putting up with these peculiarities, are accentuated by special legislation, commissions, and so on.

In this chapter, I deal mainly with such minorities as are groups distinguished by racial, religious or social characteristics. These are the type of minority with which the Minority Rights Group has been concerned.

But perhaps the most valuable and most threatened minorities are those which do not conform to the bureaucratic patterns of modern states. Not only should states be judged largely by their treatment of non-conformists and their resistance to the closed shop but these minorities have contributed a very high proportion of the characteristics which make a country livable. When uniformity is not tolerated as in Communist states the urge to get out is very strong.

England should be grateful for minorities. The Jews, the Scots, the Irish and the Welsh, not to mention smaller minorities such as the Huguenots, have contributed much to its success and well-being. I am myself a member of a minority within a minority. The Grimonds in their grander moments claim that they were Huguenot weavers who settled in Scotland. Certainly the name is, or was, more common in France than Britain. As I have spent much of my life in England I can claim to have come from a family which has conferred inestimable benefits on two nations.

But, of course, the country which is a patchwork of minorities is America. The constant invasion of the USA by immigrants from different nationalities has been the making of the Americans. Their vitality, their best native art,

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jazz, and many of their greatest inventors have sprung from minorities—or at least not from the dominant original British-bred ruling class.

I do not want to get entangled in trying to define a minority. But in the sense that they are made up from different strains, nearly all European nations, except perhaps the Scandinavians, have been built up on minorities and so I imagine to an even greater extent are all African nations and certainly India.

Efforts to expel or exterminate minorities, the Jews constantly, the Arabs in Spain, the Huguenots—if you count them as a minority—from France, have done little good to the majorities. So it might seem that the value of minorities is self-evident. Why then are they considered as a problem and why are they frequently so unpopular?

What exactly is the value of minorities? The contributions of minorities vary. The circumstances in which minorities can make their contribution also vary. Some minorities have special skills. It may be thought that at the present time when technology is said to be so important there is less chance than there used to be of a minority holding special skills. But I am not sure that this is so. It is not so long since Italians greatly enhanced the life of small Scottish towns by setting up their ice-cream shops. The restaurants in Stornoway in the Isle of Lewis are said to be greatly improved by Pakistanis. I am not here talking of the ability of minorities simply to provide labour—Turks, Yugoslavs and Italians in Germany, coloured immigrants in Britain. But this has certainly been vital to the economies of some Western European countries. Minorities lend interest to a country.

They also make the majority aware of themselves. The Welsh are particularly good at this. I served in a Welsh Division during the war. An English orderly officer on routine inspection of meals in response to the question of 'Any complaints?' was greeted by a Welshman with 'Thank you sir for leave to speak—the food is delicious'. It at least made him think, it made him aware of how clod-hopping the rest of the British may become.

And to this increased self-consciousness in the majority can usefully be allied a new perception gained from the minority. All nations, and among them the British, carry round with them certain presuppositions, barriers, marks of prestige. Socially they can at once divide themselves into classes. They are inhibited by what is accepted as possible and even more by what is accepted as impossible; geographically they consider it desirable or prestigious to live according to certain customs or in certain places. But minorities and particularly immigrants do not recognise these inhibitions. Niki Secker did not find it odd to go to Cumberland to set up his silk business. Those who have not been brought up in the hierarchical life of a country are unaware of the pecking order, of the need for reticence, of the criteria of good form which can be extremely stifling. They bring new and different blood.

The country galvanised by new blood was America. Note first that this

blood which became renewed in America was very old, African, Irish, Polish, etc. But by being transmuted and pitched into a new country it was refreshed. If Britain had won the American War of Independence what would have happened? Presumably much the same as has happened in Australia or New Zealand. The population might by now have risen to 25 million, largely concentrated on the East Coast. The difficulties of crossing the Alleghanies, far less the Rockies, would have been emphasised in flawless English by a number of Royal Commissions. The Queen's Birthday would have been celebrated at numerous government houses on over-clipped lawns. Cricket would have been the national game and inventing ingenious new difficulties for simple solutions would have become the national pastime. Restrictions of every kind, class, bureaucratic and psychological would have ensured the minimum of enterprise. Commerce and Industry would be despised.

Though I caricature the British, I am well aware that there is much to be said for the British way of life. If you think America a failure or too brash for sensitive souls, then my argument in favour of minorities breaks down at the start. But if, like me, you consider America a gigantic success then much of its success must be attributed to the mixture of minorities. How has this come about?

First, we are struck by the situation of the Blacks. They have suffered in America gross degradation. But that does not destroy my argument that they have contributed much to America. Indeed, it is at least arguable that the Southern White community has suffered as much as the Black community because of the stultifying effects the Jim Crow laws have had on its development.

In the North of the United States the waves of Irish, Poles and Italians have raised the tempo and interest of the country because the conditions have been favourable, the first of these conditions is the Constitution of the United States. It is a miracle that the Founding Fathers, firmly embedded in the eighteenth century, should have produced a Constitution which has ensured justice and democratic government through a period of constant change and to the satisfaction of many nationalities and large influxes of people who had never heard of democracy. When you consider that nowadays states which have had decades of introduction to democracy find it apparently impossible to operate—though they all pay lip service to it, the achievement of America is indeed astonishing.

These are three of the features of the Constitution to which attention in this context might be paid. First, the position of the President—he is a recognisable human being. He is the effective head of the State but he also attracts the impact felt for the symbol of the state. I suggest that when you are anxious to weld minorities into co-operation with the majority and give them some token towards which they can express active loyalty this is an advantage.

Second, the American Constitution is a written constitution in which certain rights and liberties are enshrined for all. I suggest that in regard to minorities this is a great advantage. The difficulty about the Race Relations Acts to which we have recourse is that with the best intentions they divide off minorities and are drafted, quite naturally, not on the supposition that minorities are going to confer a benefit but are a cross to be borne.

Third, the Founding Fathers had a healthy fear of the attraction and corruption of power. Lust for power is far more damaging than greed for money. Government is the aim of the power seekers. The American Constitution does its best to limit and divide power. Our own, alas, does not.

Next, the contribution which minorities have made to America has been possible because frontiers of every sort have been expanding. Geographically, of course, America had lots of room. But mentally too ideas have expanded. She was and still is a country of opportunity for all individuals. But collectively too she still believes in the solubility of all problems. She is still confident and curious. Minorities, therefore, are encouraged. Their strange customs are not greeted with hostility. If they have contributions to make they have the opportunity to make them. And in this fluid but abrasive society sparks are struck out of material that might seem inert.

If I am told that minorities only can contribute when there is a basic affinity between them—and if I am reminded again of the difficulties which have been faced by Blacks in America, I would like to know more about Brazil. Some of the news from Brazil sounds bad. But the Brazilian mixture seems to produce a ferment which leads to considerable material progress.

What does seem apparent from the histories of the USA and Brazil is that countries which contain significant minorities which are allowed some degree of freedom create societies imbued with a dynamism which minorities in their home countries or homogeneous societies often lack. But I must stress that this depends upon a degree of freedom. Russia has plenty of minorities but is conspicuously lacking in originality or economic dynamism. Also, the opposite proposition is not always true. The underdeveloped country which has made spectacular economic change in the last century is Japan. But apart from the Ainu she lacks minorities.

Two countries which are short on minorities are Sweden and Norway. They have many virtues as places in which to live. But they have drawbacks. It is a question of what are the values to be sought? There are moments when I wonder whether Sweden will not die from its perfections. It is so hygienic, so given to a logic which sometimes seems to part company with reality that I occasionally wonder if its falling birth-rate is not a sign of a sort of planned suicide. I do not know. Certainly Sweden and Norway are very pleasant countries. Would they be better or worse for an infusion of Italians, Greeks or Jews? At least the point is arguable.

Britain, as I said at the outset, is made up of minorities absorbed at

different times with the mainstream of the people. But there are still in Scotland minorities which have maintained some personality of their own. There are my constituents in Orkney and Shetland who retain from their long association with Scandinavia characteristics which are not Scots. These characteristics are founded on the values of small communities, homogeneous within themselves. They have a particular value in today's world of the big, centralised, impersonal organisation. In the Highlands, Gaelic is still significant not only as a language but to some extent as a civilisation. I have been somewhat sceptical of well-intentioned efforts to spread the Gaelic, Irish or Welsh languages. But I was impressed by a visit to a project in Skye where an effort to revitalise a locality through improvements in agriculture and the introduction of knitting has been given a strong flavour by being associated with Gaelic. The language way of life of a minority may add some salt to the drab uniformity of majority fashions. In an age when many people are looking for an alternative to predominant customs, it can keep alive other possibilities.

I am not arguing that minorities are better than majorities. I am not arguing that all mixed societies are better than all pure-bred societies. At this moment it is impossible to maintain that Northern Ireland or the Lebanon are superior.

I have never believed that dislike of minorities is a peculiar aberration from which all good men are free. All animals, including the human animal, are inclined to be suspicious of animals that are different. When the different animals compete for housing or employment, when they introduce customs which are repugnant or plant themselves in the face of the majority, we are all liable to feel resentment.

Of course, minorities differ. 'Minorities' are not a simple species. There is no particular virtue inherent in all minorities. They are not in any sense of the words 'good' or 'bad', necessarily better or worse than majorities.

As with so many other things, we often get from minorities the behaviour we deserve. Not always clearly. The Czechs, as far as I know, treated their German minorities well. That did not prevent many Germans from becoming anti-Czech Nazis. The situation is complicated by the geographical distribution of the minority and its ties with majorities elsewhere. But in Britain today there must surely be much that minorities can and do contribute. The British are in a somewhat stagnant phase. Useful production is hardly rising. There is a mood of political dissatisfaction. Life for most people is pleasant enough but there is not much confidence in the future. It is not so much that we have not found a role as that we are not looking for one. We are divided into interest groups each pursuing its own demands.

We might hope that some minorities would bring a new appreciation of our situation. The Indian immigrants, for instance, have habits of self-reliance and energy which must be valuable. The West Germans when rebuilding

their country after the war welcomed immigrants. Whether they welcome them still as permanent minorities I do not know. But immigrant labour has contributed to the German economic success. Without it indeed our own economic failure would be worse than it is. It is with minorities rather than immigration that I am concerned. It seems at least arguable that Britain may be ripe for another infusion of minorities.

But Britain seems to be going the other way. The closing in of her horizons, the chronic mismanagement of her affairs and her lack of *élan* have led to centrifugal movements such as Scottish and Welsh nationalism. This is not surprising. It has been indeed the way of empires in decline. But because it is not surprising it is not necessarily to be welcomed. I have been a supporter of Scottish Home Rule all my life but I view the present proposals with dismay. They will duplicate all the faults of Westminster in Edinburgh, they will add yet more government to stifle enterprise. I am now afraid that whatever British governments and their bureaucrats attempt will be bungled. What the whole of Britain wants—and the need of Scotland or Wales is as great as that of England—is a shot of new blood, new thinking, new energy. I am at least doubtful whether each country is likely to achieve this by the proposed devolution within the British orbit. I had hoped at one time that by all becoming minorities within the EEC we might break away from the old moulds and carry on a useful cross-fertilisation within Europe.

Unfortunately, the very vacuum which minorities could help to fill—the absence of any belief in values—is caused by forces antagonistic to minorities. For in a mood of contraction and self-pity countries are not likely to look favourably on minorities. We have brought our present troubles on ourselves. They are not the results of war or earthquakes. Their causes are easily seen and are caused by obvious incompetence and vices. We are more apt to look for scapegoats rather than to welcome new leadership and example. The expansionist outlook is missing. But if we are to pull ourselves together then minorities have a part to play. And since our troubles are common also in many other democracies they too should turn a hopeful eye on their minorities.

I do not think that you can lay down detailed rules for bringing out the value of minorities. I have suggested that these values vary. The degree to which minorities should blend must also vary as all human relations vary. But there seems, as I have indicated, to be some general principles.

As far as the rights of minorities are concerned, this should be regulated as far as possible by general laws which apply to all individuals. It may be that some of these laws should be entrenched by a bill of rights. But they should be enforced by normal courts with general jurisdiction.

Secondly, the majority must be prepared not only to tolerate but to actively encourage the minority in competition. But if it is to avoid the natural antipathy which this will raise, it must try to guide the talents of the

minorities in directions useful to the whole community. In too many countries it seems that guidance stops at toleration—or the provision of minimal rights and senses—very necessary but not sufficient.

Some charismatic role may have to be found. In Victorian times the appointment of Indian ADCs to the Queen may have done a little to offset the overbearing social behaviour of some of the British in India. I am not suggesting anything so crude today. But while we have a House of Lords and an Honours system perhaps they could be more imaginatively used—or, better still, new avenues of promotion explored. All our institutions, political parties, trades unions and universities lack representation at the top of the new minorities and I suspect in varying degrees this is true of all Western countries.

The class system, so strong in Britain, may be easier breached by minorities than by majorities indoctrinated by it. And class systems exist in different forms in many countries.

More serious today than the class system is the trend in many countries towards bureaucracy and conformity. Individuals are more and more expected to acquire the relevant qualifications, join the relevant public service, trades union, big company or profession and then conform to the behaviour laid down by the bureaucrats in charge of such organisations. The State itself becomes a system for imposing the conformity decided upon by the most powerful organisation. An obvious example of this trend is to be seen in the Dock Works Labour Bill now passing through Parliament but it is only one example of many.

This tendency if pushed further will gravely damage life in Western countries. A great deal of what has made life in these countries pleasant, free, rewarding and inventive has been due to the tolerance of all sorts of eccentricities. These eccentricities are associated with the minority of people who refuse to conform to the growth of bureaucratic attitudes. It is not sufficient simply to allow Sikhs to ride motor bicycles without crash helmets, though the trouble it has taken to get this rather simple and primitive piece of freedom agreed is in itself symptomatic. It is essential to keep open a space in which non-conformist minorities can flourish. We very badly need a re-statement of John Stuart Mills' liberal principles as applicable to the modern world. The bureaucratic attitude is supplemented by the blind worship of technocracy. We are surrendering more and more to technocratic and economic determinism. The few who fight against this have all sorts of pressures brought upon them to conform. But if they are snuffed out then all the virtues of Western democracy will ultimately die too. Their spirit which gave birth to MRG is a non-conformist spirit. There are still plenty of minorities in the traditional sense awaiting examination by MRG and such help as MRG can give. But I very much hope that in time it may find it possible to turn its attention to the non-conformist minorities who are not

necessarily bound together by religious, social or ethnic characteristics but by refusal to accept the conformity which in this country is now a much more damaging restriction than even the class system.

(1976)

Minority Rights in a Plural Society

BY RT. HON. LORD SCARMAN, PC, OBE*

In this chapter, I have set myself a limited task—to explore a single, but fundamental, implication of the plural society and to ask the question: what is the role of the law in helping to resolve the dilemma it poses. The dilemma arises when the rights of an individual are put at risk in the interests of a disadvantaged group. Is it acceptable to require an individual to make the sacrifice? If it is, how far is it reasonable to go?

I take it that when we speak of a plural society, we mean a society which is made up of a number of groups which, willingly or unwillingly, recognise themselves, for the time being at least, as members of a larger group, the so-called plural society. Northern Ireland provides an illustration of unwilling recognition of a plural society by one group within it; the U.S.A. is an illustration of a plural society made up of a very great number of groups, most of whom (but by no means, all) are pleased and proud to be members. There are further significant complexities to be noted in this very complex concept. The political and social grouping of the groups is always shifting. A plural society is a kaleidoscope, the pattern changing according to the issue of the moment. But there is a permanence in the groups themselves. The differences between the groups are either physical, in which case it appears impracticable—if not impossible—to eliminate them, or so fundamental that it would be thought an act of apostasy or treachery to disregard them. Women cannot become, and do not wish to become, men. People cannot change, and do not wish to change, the colour of their skin. People of differing ethnic origins wish neither to hide their origin nor to suppress their separate cultures or religious beliefs.

It is this attitude to group differences that is the distinguishing feature of the plural society. One very important consequence follows. The purpose of the law must be not to extinguish the groups which make up the society but to devise political, social and legal means of preventing them from falling apart and so destroying the plural society of which they are members.

The risk of failure is great. Very few plural societies have fulfilled the aspirations of all the groups within them. Many have achieved survival by the emergence of one dominant group, by no means always a majority, who have

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ruled for a time to their satisfaction. Not all ruling groups have been tyrannical or oppressive: but very few have succeeded in avoiding the frustration of the groups whom they have held in subordination. The Roman Empire and British India spring to mind as plural societies which made a great effort to secure justice for all, but ultimately failed.

The failures of history prompt two questions. Is there anything to be gained by endeavouring to make a plural society work to the satisfaction of all its members? Should we not recognise that it cannot, and direct our efforts to finding a substitute? The questions are, I think, irrelevant. Plural societies are the product of irreversible movements of mankind. Short of genocide or mass transportation, most of them are here to stay. While it may be possible to carve up a continent or sub-continent into single group states, it cannot, for instance, be done in a small island like Britain; neither can it be done in places like Southern Africa where the mix of races defies physical separation. Nor, I suggest, is it to be desired that we should seek to break up plural societies. For if we can manage the problems of justice between groups and individuals, a plural society has much to offer of great value to mankind—a variety of cultures, activities and skills, which a homogeneous society cannot offer.

My first point is, therefore, that plural societies are here to stay, that they offer much of value to their members, and that the challenge is not how to convert them into homogeneous societies, but how to manage them fairly and acceptably as plural societies.

The problems are formidable. They raise political, legal and social issues which no society has yet resolved satisfactorily. Can we in Britain, the newest of plural societies but with a proud heritage as defender of the liberties of man, solve them? I am an optimist: I believe we can. But we must be prepared to experiment politically and legally. In the legal field we must be ready to abandon old habits and devise new methods. And here we find there is at once a conflict of interests which has to be resolved if the experiment is to have any chance of success. It is a platitude that society must be just. But what in the context of a plural society do we mean by justice? Are we seeking justice as between groups? Or do we remain true to our western philosophy that what ultimately matters is the right and duty of the individual human being, and that justice implies for every one of us 'equal justice under the law'—to quote the inscription over the portico of the U.S. Supreme Court building. Clearly we desire both justice as between groups and equal justice under the law for every one of us. The dilemma of the plural society is that it is not always possible to achieve both. How, then, does one regulate, justly, the clash of interest between the group and the individual?

The Bakke case, now awaiting decision in the U.S. Supreme Court, has exposed the dilemma. A white student, applying for a place in the medical school of a University, has found himself passed over in favour of a black student with lower qualifications. Have his constitutional rights been

infringed, it being assumed that he was rejected because it was desired to increase the number of black doctors? Is not his rejection an act of discrimination against the white man based on his colour and ethnic origin? Is it right that the individual should pay the price needed to provide advancement for the disadvantaged group—in this case the very high price of denial of career opportunity? Morally, it is difficult, though not impossible, to defend a legal system which imposes upon an individual the burden of personal sacrifice so as to ensure opportunity to others.

Assuming we can answer the moral question, the legal problem is to determine how far we can allow the system to go in relief of disadvantaged groups. I turn first to the American experience in search of an answer. American society has been plural in character from its inception. Their success as a society is one of the great human achievements of all time. Their experience must, therefore, be an invaluable guide—particularly as their legal and ethical thinking is derived from the same sources as ours. Their first task, after independence, was to unite the states without destroying them as states. They devised the federal solution. Federation is a way of handling the plural society—though it does not meet all the problems. The U.S. Constitution, into which a Bill of Rights was incorporated in 1791, provided their judges with the opportunity of developing the political and civil rights of the citizen in a federal state. From the first the Americans appreciated that their job was to make a success of a plural society: 'E pluribus unum' is the legend on the great seal of the U.S.A. Significantly, the seal of the Supreme Court has an additional feature—a solitary star to symbolise the grant of judicial power to one Supreme Court in a diverse society. Their approach was essentially legal: the federal courts were to protect the Federation and the citizen. They went into civil war to defend both. The war settled the question of political and civil rights—but left unresolved the problem of those groups who were socially and economically disadvantaged. How then could the law help the weaker groups to break out of their cycle of accumulating disadvantage? The enjoyment of political and civil rights they found was not enough. Characteristically, the Federal Courts were expected to work out an answer to the question.

Two famous cases illustrate the difficulties, and the progress made. Mr. Plessy, a black, tested the law of Louisiana by entering a railway coach reserved for whites. On 18 May 1890, in *Plessy v. Ferguson*, the Supreme Court sustained the constitutionality of the Louisiana statute. Races, it ruled, could be segregated if equal facilities were provided. The decision, as is notorious, was used to maintain racial segregation in education. On 17 May 1954, the Supreme Court decided the case of *Brown v. Board of Education*, holding unanimously that 'in the field of public education the doctrine of "separate but equal" has no place'. It took the U.S.A. 60 years of smouldering discontent and racial frustration to reject as inconsistent with a

just plural society the doctrine of social apartheid. But their system did enable them to do so, and to return to their great task of constructing a united society without destroying its diversity.

But Bakke's case now exposes how inadequate equal political and civil rights by themselves are to solve the social and economic problems. It is not enough merely to reject the 'separate but equal' doctrine. Even the great principle of 'Equal justice under the Law' cannot be evenly applied without injustice to some disadvantaged groups who need the chance of breaking out of their cycle of accumulating disadvantage. 'Reverse discrimination', as it is called, may be necessary to give them their chance. The challenge comes from the heightened sense of the community's obligation to afford to all social and economic opportunity and security. Their provision costs money. The resources even of a country as richly endowed as the U.S.A. cannot meet the total demand for education, housing, health, employment and social security. If all groups are to have their fair share, the law in the fields of taxation, education, training, welfare, career opportunity and employment may have to bear more severely on some individuals merely because they belong to a better-placed group. It is an explosive situation: but a path has to be found which can be accepted by all as just. The Americans have not yet provided their final answer. But they have devised a method—a combination of legislative and judicial development pursuant to, and controlled by a written constitution and a Bill of Rights.

The British experience is vastly different. With nothing in our law comparable to the American Bill of Rights, and with no federal experience, we have made more use of legislation and less use of judges. We have been slower than the Americans in granting full political and civil rights to all—though this has now been achieved. Nevertheless, where the interests of Church and State have not been directly affected, minority groups have been treated tolerantly, not suffering to any frustrating degree. Jews, Catholics, Quakers, Non-Conformists have been able to achieve wealth and influence in British society. There has been, until recently, no race problem—no doubt because there have been no racial minorities of any significant size. When, therefore, in the sixties immigration introduced into British society significant minority groups ethnically, physically and culturally different from the indigenous population, the naturally-tolerant British were faced with a problem, that of the plural society which their experience had not fitted them to meet. The coincidence of immigration with the awakened ambitions of women created in one decade a problem which neither the law nor our institutions were ready to meet. The reaction was typical—pragmatic, empirical. We have not yet thought out a solution of principle. We have simply acted to meet urgent difficulties, preferring to use administrative and legislative methods wherever possible. No declaration of principle such as the American Bill of Rights has been attempted: but there is

a spate of detailed legislation, the Immigration Acts, the Race Relations Acts of 1965 and 1968, the Equal Pay Act of 1970. At the same time the Divorce Reform Act of 1969, and the Matrimonial Property and Proceedings Act 1970 were strengthening the independence and increasing the opportunities of married women. Finally, two closely related statutes were enacted, the Sex Discrimination Act 1975 and the Race Relations Act 1976. In a word, we have sought to do by detailed legislation what the Americans seek to achieve by reliance on a written constitution, a Bill of Rights and judicial decision. They have one great advantage over us. The Bill of Rights and the Supreme Court engage the loyalty and respect of the American people. The same cannot be said of the Equal Opportunities Commission or the Commission for Racial Equality, or the two statutes. Every American school-child reveres the constitution of the U.S.A., the Bill of Rights and the Supreme Court. But, if Bruce Forsyth were to ask his finalist in his TV programme which gets very close to the British people, *The Generation Game*, 'What is the Equal Opportunities Commission?' do you think, for one moment, he would get a correct—or any—answer? And the sort of problems which these Acts throw up for judicial or administrative decision appear to many to border on the ridiculous. Nevertheless, notwithstanding the bureaucratic shape of our legislation, a feature which does not endear it to the public, it has attempted a solution based more upon the promotion of understanding and reconciliation than upon the heavy hand of the law. And it does include a limited attempt to tackle the Bakke problem. Section 35 of the Race Relations Act permits a degree of reverse discrimination in favour of members of a particular racial group who have special needs in regard to education, training, welfare and ancillary benefits. Section 37 permits certain bodies offering facilities for work-training to discriminate, in favour of persons of a particular racial group: section 38 extends this provision to certain employers. The significance of those sections is that they recognise that members of a disadvantaged group may properly and lawfully be offered educational, training and welfare services in preference to others. The law is thus loaded in their favour. Discrimination against them is unlawful: but some discrimination in their favour is lawful: this is very dangerous ground.

The risk is that in seeking to do justice to those who are disadvantaged we impose injustice on others. If the law is not loaded in favour of the disadvantaged, they will never achieve true equality of opportunity and freedom of choice. But, if it is, others will be denied opportunity and suffer curtailment of their freedom of choice. And any permanent loading of the law in favour of a particular group of persons may put the unity of society at risk of collapse. Nonetheless, I suggest that we can accept that an unbalanced law, discriminating in favour of some groups while making any discrimination against them unlawful, is necessary, if we are to start building a civilised plural society. But at the same time, in a truly mature society we

must recognise such laws as ultimately unjust. How then can we ensure that a temporary unbalance in the law, necessary during the current phase of development, does not become a permanent feature of the law? The answer, I suggest, must be that the law should declare the general principle of equal justice for all under the law, while recognising a temporary and limited exception in favour of members of disadvantaged groups. It is in this context that one sees the value of a Bill of Rights declaring the principle and objectives of the law so far as human rights are concerned. It is not a substitution for detailed anti-discrimination laws: but a reminder that such laws must not be taken so far as to imperil fundamental freedoms, and are, at their best, only a means to an end. We can, and for the present, must accept the loading of the law in favour of one group at the expense of others, defending it as a temporary expedient in the balancing process which has to be undertaken when and where there is social and economic inequality. But the law must continue to emphasise the ultimate value of the individual. We must never lose sight of the fundamental principle, equal justice for all individuals under the law. In a homogeneous society it may well be unnecessary to declare by statute the basic rights and duties of men. But, as soon as the complexities of a plural society arise, a Bill of Rights, as the Americans have found, can provide a body of principle upon which the legislature as well as the courts can build. A Bill of Rights will remind legislators and governments that detailed laws providing relief for disadvantaged groups are only means to an end, not ends in themselves, and that they must be drafted so as to be consistent with the human rights of everyone. It will also provide criteria for the judicial interpretation of such legislation. It will enable the public to appreciate that the bureaucracies which such laws establish, the loading of the law in favour of the disadvantaged, and the restrictions imposed on other people's freedoms are no more than expedients to be discarded once the objective of genuine equality is achieved.

The complexities of the plural society are such that without a Bill of Rights we are in danger of losing our sense of direction. Faced with our current problems—only one of which I have explored—many people are asking: where are we going? If towards a corporate state where the units which matter are collective in character, where the individual's only chance of fulfilment is through the group, in that event a Bill of Rights is a serious obstacle to any such movement. A Bill of Rights and the corporate state cannot live together. But, if we have retained our view that it is man, not his method of organising himself, which ultimately matters, and that the law is to be based, as hitherto it always has been, on equal justice for all, then a Bill of Rights is imperative to keep alive our principles during a period of social development in which it is necessary to load the law in favour of deprived groups.

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CHAPTER 7

Intervention to Protect Minorities

BY PROFESSOR JAMES FAWCETT, DSC*

It is a privilege for me to contribute this chapter for the Minority Rights Group. I have chosen the theme of intervention for the protection of minorities, not least because of the current interest in the use of human rights as a instrument of foreign policy.

Intervention can be trespass. If a State is to be master in its own house, other states cannot be allowed to intervene in its internal affairs, whether by suggestions, organised persuasion, economic coercion, or armed force; and the principle of non-intervention has been long recognised as a necessary brake on foreign policy, but with exceptions. Is the State always to be master? I want to ask and to try to answer here how far the protection of minorities has been an exception, and how effective their international protection through intervention has been.

I

The principle of non-intervention is to be found in the UN Charter and other declarations by the UN. So, apart from peace-keeping measures under Chapter VII of the Charter, nothing in it is to 'authorise the UN to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement' under the Charter.[†] Further, the General Assembly adopted by consensus a declaration[‡] on principles of international law concerning friendly relations and co-operation among States which contains the following:

No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. Consequently, armed intervention and all other forms of interference or attempted threats against the personality of the State or against its political, economic and cultural elements, are in violation of international law

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[†] Article 2(7).

[‡] Resolution 2625-XXV (14.12.1970).

Further,

. . . no State shall organize, assist, foment, finance, invite or tolerate subversive, terrorist or armed activities directed towards the violent overthrow of the régime of another State or interfere in civil strife in another State.

Again,

Every State has an inalienable right to choose its political, economic, social and cultural systems, without interference in any form by another State.

These statements are embodied without significant change in Principles VI and VII of the Helsinki Final Act. There they differ from the statement in the UN Charter in that not only are they directed against intervention by States, acting alone or in a group, in contrast to intervention by the UN, as a collectivity distinct from, though an agent of, its members; but intervention by States is more strictly proscribed than intervention by the UN; for it may not be direct or indirect, or engaged in for any reason whatever, or touch on either internal or external affairs of a country. Further, despite the prohibition expressly of the use of various kinds of force, the rule against intervention is not, given its general language, confined to the use of force. But, at the same time, these declarations, in prohibiting interference in any form by one State in the choice by another State of its political or social arrangements, do not mean that that choice is to be condoned. We come then to the exceptions to the principle of non-intervention in the internal affairs of other countries.

Andrew Scott has observed that 'neither a powerful nation nor an international organisation can offer leadership and rigidly adhere to the doctrine of non-intervention at the same time. The means available to them in offering leadership constitute intervention'. UN practice illustrates this. Since its earliest days objections raised by UN members to discussions or recommendations in the General Assembly or Security Council on the ground that they interfered with the domestic policy or practices of a country, have been constantly rejected by the majority where the maintenance of human rights was seen to be in question. The reasoning broadly was that the gradual internationalisation of notions of human rights and freedoms made it no longer possible to regard them as 'essentially within the domestic jurisdiction of a State'—to use the language of the Charter restricting UN intervention. The UN, through the General Assembly and the Security Council, has then constantly intervened in countries by inquiry, discussion and recommendations on their practices involving human rights; and indeed the first compulsory order for economic sanctions by the Security Council was

indirectly for the protection of human rights in Southern Rhodesia, a step which the drafters of the UN Charter would have hardly imagined.

To see whether minorities can be protected by such UN intervention or by other forms of intervention, let us look at the background. The internationalisation of common rights and freedoms and action to apply it were not of course new in 1945. Notable were the interventions in the Ottoman empire during its slow disintegration: the French expedition to Syria in 1860 after massacres in the Lebanon and interventions by Western powers in Bosnia in 1875 and Cyprus 1878, as Christian populated provinces of the Ottoman Empire. The Treaty of Berlin in 1878 sanctioned such interventions. Mr. Gladstone was able, in the Midlothian campaign, to declare that 'foreign policy should always be inspired by the love of freedom'; and in a draft code of international law prepared in 1888 by Bluntschli, the German jurist, founder of the still prestigious Institute of International Law, it was stated that, where human rights are denied in a country, there is a right of foreign intervention—the so-called *intervention d'humanité*.

This notion of a collective responsibility for the protection of common rights and freedoms not least for minorities, was further developed after the First World War in particular treaties and by the League of Nations. The protection of minorities was covered in a number of treaties: in the five so-called minorities treaties between the allied and Associated Powers and Poland—the first, which became the model—Czechoslovakia, Romania, Greece and what was to be Yugoslavia; and in special provisions in the Peace Treaties with Austria, Bulgaria, Hungary and Turkey, repeated to some extent in the Peace Treaties of 1947. Special arrangements were also agreed between Germany and Poland for the division of Upper Silesia, and for exchange of populations between Greece and Bulgaria, and between Greece and Turkey. Further, the Baltic States, Albania, Finland and Iraq made declarations undertaking to protect their minorities on being admitted to membership of the League of Nations.

The League was to be guarantor, and a report adopted by the League Council in October 1920 stated that:

the provisions for the protection of minorities are inviolable . . .
and cannot be modified in the sense of violating in any way rights
actually recognised, and without the approval of the majority of
the Council

Further, the right of Members of the Council and of the minorities themselves to call the attention of the League to any infraction or danger of infraction of various treaties was recognised. But how was the right to be exercised? Some of the obstacles, familiar in the development of the European Convention on Human Rights, appeared. It was said that the League Council should not be *bound* to intervene and that petitions should

rank as reports for information only. Again Lord Balfour sought to avoid a process which placed on individual Members of the League 'the invidious task of accusing another Member'; and Poland and Czechoslovakia both objected to petitions at all on the ground that they could contain 'one-sided information, which is often unreliable or biased. . . . The possibility of subsequently refuting the accusations made against them, afforded to the States concerned, does not always compensate for the injury suffered from this procedure'.

However, the League gradually worked out a petition procedure for minorities. Certain conditions were laid down which had to be met if a petition was to be admitted by the League Council; in particular, a petition must not emanate from an anonymous or unauthenticated source, and it must not request 'severance of political relations' between the minority and the State of which it formed a part. Petitions were to be communicated only to members of the League Council, unless the State concerned asked for wider communication, and were examined and reported on to the Council by a Committee of Three—the President and two members, not including a representative of the State concerned or of a neighbouring State or of a State with a population majority of the same ethnic group as the minority petitioning. Publication of the result of the examination of the petition could only be made with the consent of the State concerned. In Upper Silesia, where there was a resident League High Commissioner, petitions could be brought directly to him.

About 300 petitions were received in the first ten years, of which half were found inadmissible; eight reached the League Council, which took some action on two. In 1933 Germany repudiated the system and Poland denounced its treaty. However, during this first period three cases involving Poland or Upper Silesia, as well as cases on the exchange of populations between Greece, Bulgaria and Turkey, went to judgment by the PCIJ. The League Council also obtained advisory opinions from that Court on the position of the minority schools in Albania and in Upper Silesia, and also the administration of Danzig.

The League as guarantor of minority rights was then not only confined to minorities in the new or substantially enlarged countries in Europe—any suggestion that the protection of minorities should be generalised even throughout Europe was vehemently opposed—but its interventions were few and of slight effect. But the influence of the minorities treaties and declarations may still have been wider than the public record suggests. The mere existence of their provisions could have some control both of law-making and administration; and the relative confidentiality of the petition procedure through the Committee of Three and the Minorities Section of the League probably also helped this. It is the experience of the European Commission of Human Rights in the largely confidential handling of

applications that not every application rejected by it has had no effect.

The system of minority protection between the two world wars was then limited in area and seen by its creators as primarily serving the balance of power in Europe. Minorities must be granted their rights so that they do not get out of hand; and C. A. Macartney ended a review of this system saying:

There is . . . at least some practical case for imposing these obligations only on states in which, owing to their special conditions, minority situations exist which might really endanger the peace of the world.

But since 1945 the international climate has wholly changed; and it may be that what J. A. Froude said of the end of the fifteenth century will come to be applied to 1945:

For indeed a change was coming over the world, the meaning and direction of which is still hidden from us—the change from era to era.

The drive for national independence which has nearly trebled the membership of the UN; a larger sense of community between countries and peoples growing out of a recognition of common interests in the sharing of technology and natural resources, including nuclear energy with its dangers, and of the need then to set limits to territorial divisions, autonomy and secession; the instability of many régimes, induced by irredentism—all these influences have changed the international view of minorities, their character and their needs. Two axioms, widely recognised, have emerged, the one being that all peoples have a right of self-determination, and the other that any form of discrimination against any human being by category is wrong. For minorities the first opens a political approach in which collective identity—at least where a minority can be seen as a ‘people’—is secured and preserved by some form of self-determination; in the second the approach is social, in which members of a minority are treated like all human beings, as having common rights and freedoms, equal exercise of them being secured by the rule of non-discrimination. These approaches could lead to two quite different relationships between a minority and the rest of the community: separation as an act of self-determination, apartheid being separation which is imposed, not chosen; and integration under the protection of non-discrimination and even some special rights. On apartheid the UN has adopted a draft international Convention, which declares that apartheid is a crime against humanity and that its operators incur an international criminal responsibility.

The first approach has been largely eliminated as far as UN intervention goes. Even in the early debates in the UN it was said that minorities deserving protection should comprise only those ‘non-dominant groups in a population, which possess and wish to preserve stable ethnic, religious or

linguistic traditions or characteristics markedly different from those of the rest of the population'; further, they must be 'loyal to the State'. But political pressures grew after 1945 for the end of colonial rule, and the movement of countries to independence, particularly after 1955, became steadily more rapid and widespread than could have been predicted when the UN was founded. The protection of minorities became overlaid by the granting of independence to colonial peoples. The UN interest in minorities was reduced unless they could be seen as subjects of colonial rule or apartheid, and there was no intervention on their behalf save in peacekeeping operations. Self-determination had in fact in UN practice become virtually identified with the achievement of independence by colonial peoples, and this has expressed itself in two ways. A distinction is made between a people, however small in number or territory, seen as capable of independence and UN membership, and nationalities or minorities living within a larger country. Self-determination is accorded to the first but not necessarily to the others. Lenin made the distinction and the policy of the USSR, at least in the UN, has followed it. He declared the support of the party for the self-determination of peoples but with the strong qualification that 'nationalities' must not be allowed to fragment the ideal of a communised society. 'We demand', he said, 'the freedom of self-determination, that is, independence . . . the freedom of secession for oppressed nations, not because we dream of an economic parcelling out (of big States) or of an ideal of small States, but on the contrary because we want big States, and a rapprochement, even a merger, of nations on a truly democratic and internationalist basis'. An active advocate generally of the principle of non-intervention, the USSR has argued that in any colonial *war* the metropolitan country is the aggressor and that any intervention in support of the oppressed colonial people is justified as a way of defeating aggression. The USSR even condemned UN intervention in the Congo as 'collective colonialism', perhaps because its own intervention had dramatically failed. The preoccupation with liberation from colonial rule has led the UN itself to come close in several declarations to approving the use of force, and foreign intervention, in conflicts over that liberation.

But the USSR, having many nationalities and minorities of its own, has been cautious over support, in principle or practice, for activist minorities in other countries, even if they have Marxist inclinations. It is equally noticeable that the newly independent countries have, as members of the UN, with India as a leading voice, been reluctant or unwilling to support its intervention directly on behalf of minorities, at least if they were seeking autonomy or secession. Loyalty to the state would be insisted on where such a minority was located in a part of the country where natural resources were concentrated, for example, Katanga; and Secretary General U Thant himself affirmed this. In practice, self-determination ends with independence, and the UN Subcommission on the Prevention of Discrimination and the Protection of

Minorities—to give it its title—has given virtually no attention in the last decade to the position of minorities.

Intervention by a single country or by a small group of associated countries, aimed at minority protection is a matter of moral and political judgment, and law enters into the question whether in given circumstances it is justifiable. Further, it must not be forgotten that the protection of minorities, and indeed the maintenance generally of rights and freedoms in countries must be in the end domestic, depending on political and economic structures, and on the strength and will of government and people. International rules and standards express in part at least what may already be the domestic law and practice in many countries, and their observance may be secured through domestic machinery. But these rules and standards have an intangible influence, in and between countries, through their mere existence. The short, comprehensible and pregnant propositions of the Universal Declaration of Human Rights have had a far greater impact around the world than its drafters could have expected; and to the extent that the international rules and standards form or declare the law of common rights and freedoms, law has a part to play in intervention for their protection. To make a perhaps fanciful comparison, the effect of law in international relations is not unlike that of gravitation in the physical world. So if States and international organisations might be regarded as units of varying mass and molecular structure, composing together a field of forces, power would be a kind of electromagnetic force directed from one unit or group of units to another, but always limited in its spatial extent. Law would then resemble gravitation in being the weakest of the forces, but yet the most extended in that nothing within the field is beyond its reach.

But where in one country—a small part of the field—power overrides the law and common rights and freedoms are denied, attempts at their enforcement from outside require intervention, ranging from persuasion to the use of coercion or force. The interveners may be, apart from international bodies, governments acting individually or in association, or non-governmental bodies such as Amnesty International or the World Council of Churches, or not least of course, the press. The decision then by a government to intervene for the protection of minority rights in another country by taking some coercive measures, or by taking a public position, or by diplomatic action, will depend on many factors.

President Theodore Roosevelt, in a message to the Senate in 1904, offered some advice which should perhaps still be listened to. 'We have', he said, 'plenty of sins of our own to war against, and under ordinary circumstances we can do more for the general uplifting of humanity by striving with heart and soul to put a stop to civic corruption, to brutal lawlessness, and violent race prejudices here at home than by passing resolutions on wrongdoing elsewhere.' We must also ask whether governmental policy on intervention

must be consistent or whether it can be selective of target countries. There may be also a different kind of intervention by a country exercising its right, recognised in international law, to protect its nationals abroad, even by force within certain limits. But can this be extended to a minority sharing its language and culture, which lies beyond its frontiers? The history of German minorities in Europe shows the conflicts that can arise. The *Verband deutscher Volksgruppen*, founded in 1922, was taken over by the National Socialist Party after 1933, and over three hundred organisations were established outside Germany itself asserting *Auslandsdeutschtum* which became a political force behind German intervention in Czechoslovakia and later Poland. The movements, voluntary and involuntary, after the Second World War of the Volga Germans, who had formed an Autonomous SSR since 1924, was a reflection of it.

The principle of non-intervention set out as Principle VI of the Helsinki Final Act is designed to reduce or prevent such conflicts. But does Principle VII of the Final Act, concerned with the protection of human rights including the rights of minorities, override Principle VI? The Final Act itself expressly states that no one Principle is to be given any priority, and, while the record of the Belgrade Conference does not disclose whether the position of minorities in Eastern or Western Europe was discussed, the disregard of the principle of non-intervention, manifested in public declarations by governments on human rights in Eastern Europe, particularly in a context of efforts at European co-operation, has not been clearly justified; though that is not to say that diplomatic action by governments, exerting pressure for human rights in, for example, the negotiation of trade agreements, or publicity given to denials of human rights by the press or non-governmental bodies are not justified. Neither in fact are really intervention in the sense of Principle VI.

II

Is international intervention, whether collective or individual, effective in the protection of minorities in the contemporary world? Consider Rhodesia, the Palestinians, Cyprus and Belgium. In Rhodesia the non-dominant group form the majority of the population, which shows that now at least to be a minority is a matter of recognition and influence, not of numbers. Further, minority is a relative term—minority in relation to whom? The people of Rhodesia are perhaps to be seen as composed of three minorities in relation to each other; similarly in Belgium the Flemings and Walloons divided by a linguistic frontier have minority characteristics, though it might be impracticable to treat either as a minority in the traditional sense. Again the Palestinians—about 3 million in the world—are scattered over at least nine countries in the Middle East, constituting in fact more than half the population of Jordan. They are not a minority at all but a people asserting a

right of self-determination. In Cyprus on the other hand the Turkish Cypriots can be seen as a minority.

But the economic inequalities must not be overlooked; and in all the communities mentioned this can spark colour prejudice and religious or language conflicts. Economic disadvantage is both a cause and a consequence of discrimination against minorities. Intervention to help or protect these various groups has taken many forms, operating sometimes simultaneously. So in Rhodesia there has been a combination of UN intervention through economic sanctions, intergovernmental negotiations involving the US, UK and neighbouring countries, and interventions in force from neighbouring territories with some support from various governmental sources. In Cyprus there has been for years a UN force, performing an essentially internal police function, then the intervention in force from Turkey in July 1974, relying on the Treaty of Guarantee (1960) between the UK, Greece and Turkey, and finally a transfer in effect of political settlement to negotiations between Greece and Turkey. In Belgium, as well as in Cyprus, there has been intervention under the European Convention on Human Rights, and the complexity of the intervention at all levels in respect of the Palestinians needs no comment.

If I can offer any suggestions on intervention at government level to protect minorities, they would be that:

(1) Collective intervention by the UN is best limited to peace-keeping, including particularly, internal policing in open civil conflicts, and not extended to active efforts at political settlement (peace-making).

(2) Public condemnation of régimes by governments is not visibly effective, but diplomatic pressure, in for example the negotiation of trade, aid or defence agreements is and should be used to aid the protection of minorities, and it can be effective.

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CHAPTER 8

Minority Rights and Minority Rule

BY PROFESSOR RALF DAHRENDORF*

The contradictions of modernity are many, but some of them hurt more than others, and among them the perversion of the heartland of liberal values is the most painful. The subject in this chapter concerns how it came about that those who needed the protection of the forces of freedom and the rule of law most, turned into modern tyrants, and how the friend of liberty finds himself defending the rights of the majority rather than those of minorities.

Defence of minority rights is certainly the litmus test of liberty and the rule of law; more than that, it is in a sense what they are about. For if the social contract means anything, it must mean the inviolability of the individual, of every individual, and his or her right to express their views, interests and beliefs. These in turn presuppose the reality of citizenship rights for all, a decent level of universally-available life chances. Ruling interests and beliefs need no protection; power protects, though it may corrupt as well. Official oppositions need no protection, once they are recognised as such; though the process of such recognition is itself long and painful, and often involves a fight for minority rights. Even those who are playing the glass bead game in Castalia usually do not need protection, at least not any more. They may lose popularity and public finance; but when all is said and done, the greatest threat to the 'pedagogical province' comes from within and not from without.

At least all this is true in the societies which we call free (and which may well be defined by the fact that it is true). Though this is not my central subject, it is important to note that the free societies of the world are themselves in a minority, and that essential rights of minorities are denied or threatened above all in countries which are passing through the perilous transition to modernity. It is a sad fact of social life that the German and Russian examples of modernisation have found many more followers than those of Britain and the United States. It is all the more important to insist on the universality of essential human rights. They need to be defended in practice, as Amnesty International does it for individuals in many countries, as well as in principle, as President Carter began to do in the early period of

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his term of office. There is no excuse ever for torture, for arrest without warrant or trial, for labour camps and the abuse of psychiatry, for the harassment and expulsion of achieving minorities. Nor should we be misled by those who propose to weigh the essential rights of man against poverty. Both are central issues, both require urgent action, but poverty is no excuse for torture.

However, my main concern here is with the developed countries of what one may call the OECD world. And the first point to be made is that despite enormous progress in safeguarding the rights of minorities, there are still unresolved issues. Women are not in a minority, of course, but in a sense they were treated as one; the end of discrimination may be nearer today than it was two decades ago, but it is still not here. Homosexuals still find it necessary to advertise their difference, and their right to be different, publicly and sometimes stridently; this documents the lack of public acceptance. But the most serious minority issues in developed countries arise around the subject of race (as it is somewhat imprecisely called), that is, of cultural difference, and we have so far failed to come to grips with it.

This is more true in Britain than in the United States, more on the European Continent than in Latin America. Let me make a doubly unpopular statement about this issue, so far as Britain is concerned. First of all, the sympathetic outsider is bound to be puzzled by the extent of immigration into this country (as he is by that of emigration from this country, though that is another matter). Immigrants to Britain from the Subcontinent, from East Africa and the West Indies—now amounting to not much less than 5 per cent of the total population, and more than twice as much in certain regions—are not ‘guest workers’; they are citizens. Could this be due to a strange coalition between a Left in search of a new proletariat and a Right unable to abandon the fiction of a quasi-Roman Empire with universal citizenship? Whatever the answer, one should perhaps not be too harsh with those who wonder whether it was right to make the promise implicit in citizenship for immigrants — though the more important question is whether the country was ready to honour it.

Such questions are of course academic. The practical issue is how this minority of obviously underprivileged Britons can be guaranteed a humane life of full citizenship. This is not easy. It cannot be done by a benevolent ‘Race Relations’, or, more ashamedly, ‘Community Relations Commission’ alone. Since I hold no official brief of any kind, I can perhaps offer a somewhat direct comment. I fear that the first generation of immigrants is in many cases in an all but hopeless position. There are of course important differences between individuals and groups; some are quite likely to be successful as an achieving minority in a country which is not unduly bent on achievement; but by and large many first-generation immigrants are likely to lead fairly miserable lives in slum areas, with casual or no employment,

subject to cultural, and at times physical, assaults from 'poor white trash', on balance slightly better off than they would have been in the shanty towns of Bombay or Port-of-Spain, but only slightly. This is not to say that they should not be helped; but it is to say that such help is likely to be relief work rather than effective integration. Let me add that I say this with dismay and a sense of shame; but it is in my view an indisputable fact.

Given this fact, it is all the more important to assure — or, more modestly perhaps, to do everything in our power to bring about, the integration of the next generation, those born in Britain, or who arrived at an early age, into this society with its blessings (for what they are). This is a complicated, indeed an immensely tough job which requires more than high-minded promises by trade union leaders, vice-chancellors, cabinet ministers. The United States has shown the way to some extent; it has also shown the obstacles and hurdles on the way, and the time it takes to overcome them. Like most libertarians, I have an instinctive aversion to 'affirmative action', or as it is called in Britain, 'positive discrimination'. Yet the disadvantages of immigrant children are such that only a massive programme of affirmative action will turn them into citizens rather than a running sore of an anxiously-indolent society.

Affirmative action means special educational opportunities; it means special job opportunities including obligations for employers similar to those for the disabled; it means special efforts to bring services, including legal services, to the disadvantaged; it means efforts in housing and community development. Britain may have made an historic mistake in promising its Imperial subjects citizenship; but in the years to come, what matters is not to moan about the mistakes of the past, but to transform them into the achievements of the future. And indeed, at a time at which so many find it impossible to live with difference — in Montreal, in Nicosia, in Beirut, in Belfast, in Délémont, in Saigon, in Phnom Penh — Britain is probably better equipped than any civilised country other than the United States of America to set an example. Homogeneity is fine, but heterogeneity in peace and co-operation is better, as a test of human tolerance, but also as a source of human creativity. Need one add that democracy and the rule of law are there to deal with rainy days as much as with those in which the going is easy?

Immigrants in Britain are of course a traditional minority, a minority of victims, if the term is not too offensive. There are actually two kinds of minority victims. There are those who cannot help themselves, who remain the objects of history until, by affirmative action, doors are opened for them to find the place which every human being deserves. So far, I have been talking about these passive victims, and about the need for measures which guarantee them full citizenship rights. The other kind of minority victim is in no less serious a predicament. It includes those who are persecuted precisely because they are able to help themselves. Since the great plague of the fourteenth century, this country has time and again been a haven of

toleration and understanding for such victims, and I trust that this will not change at a time which abounds with examples of the cruelty of massive and stupid majorities against achieving minorities. The most recent example, the plight of the minorities of South East Asia which makes one cringe with horror, adds to Auschwitz and Gulag the third great story of mass murder by the action of those in power in the last half century. There can hardly be a stronger case for asserting once again the rights of minorities.

Yet, as we return and look more closely at the advanced societies of the world, we find that this is only half the story. Great as the need for defending elementary human rights, and for extending the chances of citizenship may continue to be, 'minority' is once again becoming an ugly word, if with a different complexion. For some of those whose right to organise and to participate in the social process was the subject of liberal campaigns not so long ago, have today turned into oppressors themselves. While their own concern with the rights of minorities is suspiciously selective, they have arrogated to themselves the right to intimidate others. Thus while we are still defending minority rights, we find ourselves surrounded, not to say smothered by what can only be called minority rule; and while we have begun to understand how minority rights can be safeguarded, we are at a loss when it comes to curbing minority rule. This is a delicate and sensitive subject; but as in the case of immigrants I must now attempt to put the unspeakable into words, because unless I do so, I shall simply repeat familiar expressions of vested interest or of easy polemic. Let me begin by describing what I have in mind.

During the noisy years of university troubles, it has often been said that these events were the work of small minorities invoking the support of the majority in vain, the majority allegedly consisting of hard-working students who wanted nothing to do with sit-ins, barricades, and other forms of disruption. Today, this same point is often made about trades unions and industrial disputes. The great and powerful trades unions (it is said) are run by people who have been elected by five, indeed sometimes less than one per cent of their members. Few attend meetings, fewer vote; trade union democracy is an empty word at any rate in terms of participation; reference to twelve million members is a hollow boast. Nor is it only the national leadership of unions which consists of a minority chosen by a minority; at the local level too, it is vocal minorities who determine whether strikes are called, other forms of disruption are adopted, and thus whether the majority remains free to do what it wants or not. As a consequence (it is argued), we need not so much the assertion of minority rights as the protection of the majority against active minorities.

The same can easily be argued for political parties, notably in Britain. In the case of the Labour Party, the argument has come to a head in connection with the composition of the committee set up to inquire into the constitution

of the Party. But the point about minority rule is of wider application, especially in the present phase of radical politics on the Right. It is many years since a government in Britain was based on a majority of those who turned out to vote; and political leaders find it strangely easy to claim that support by little more than a quarter of the electorate gives them a mandate to implement a manifesto which few have read or even heard about.

These are, however, comparatively harmless, perhaps even inevitable forms of minority rule. Things get more serious when minorities prevent others by intimidation or force from doing what they want to do. Such action ranges from the strange magic of picket lines through the imponderable pressure exercised by mass meetings, and even by the hermetic language of professional troublemakers, all the way to what is generally recognised to be criminal action, assault, gang warfare, the taking of hostages, terrorism. In her eminently readable book on the fourteenth century, Barbara Tuchman has reminded us of the brigands of that time, often indistinguishable from the barons, but certainly leaders of minorities which terrorised the innocent. We have not quite reached the point at which everybody has to take the law into his own hands to survive, although there are frightening statistics in some countries about the number of people killed by home-owners and others in self-defence, imagined or real. However allergic some may be to the words, only the socially blind can deny the reality of the fundamental problem of the social contract — law and order — in the OECD world. As we have freed ourselves of traditional linkages of dependence, we seem to have created a desert of disorientation in which the most violent and unscrupulous are in a position to hold individuals, groups, indeed entire countries hostage without any obvious recourse to non-violent remedies.

This has had unfortunate effects of many kinds. In Germany, the Baeder-Meinhof successor groups have managed to change public attitudes to law and order from a liberal approach promulgated on the basis of the work of legal reformers (the *Alternativprofessoren*) in the 1960s, to one in which sub-machine guns are in evidence all over the country, and anybody who either looks radical (whatever that means) or has expressed unorthodox views must fear to have his or her life chances severely curtailed. In Britain, there was and is fortunately no such reaction, although I for one have never shared the strained attempts of some to describe the situation in Northern Ireland as fundamentally normal. Terrorism and counter-terrorism, and above all a kind of mental terrorism which defines the other side as sub-human, tear that community apart. In the new Swiss canton of Jura (itself created as a result of terrorism first, and a referendum next), a meeting of Francophone 'minorities' from all over the world took place last summer which included many a terrorist. One of these theses propounded by the spokesman of the Swiss Jurassiens, Roland Beguelin, was that in the part of the old canton of Berne which had decided not to join the Jura, only French speakers should

have the right to vote on this matter. There was an audible 'or else' behind his statements.

One could go on listing examples. They show, among other things, how vulnerable modern societies are. There is hardly an institution in our world which could not be disrupted by a dozen determined men, and hardly a society in which a few hundred cannot create havoc. Terrorism is easy, even nuclear terrorism (as Lord Flowers has argued through the Royal Commission on the Environment and since). In his angry book on *La Revolution Introuvable*, the elusive revolution of May 1968, Raymond Aron makes the nice point that the French Government, faced with the barricades of the students, was confronted with the choice of either creating martyrs or losing face (and managed to do both within 48 hours). The double bind is real for anybody who is dealing with a violent minority. The vulnerability of modern societies is such that a handful of people have a destructive power which millions and their representatives cannot curb.

Nor is this only true in the OECD world of developed countries. The phenomenon of minority rule is, on the contrary, very much in evidence on the wider international scene. Henry Kissinger's 'peace with dignity' in Vietnam had the predictable result; many have argued that the events of Cambodia were similarly predictable. The introduction of the prerequisites of Westminster has not prevented active minorities in Commonwealth countries from getting things their way. The notion of 'majority rule', plausible as it sounds, and is in a sense, is nevertheless capable of vexing, indeed perverse interpretations. It may sound gloomy and even cynical; but the experience of recent years suggests that as long as there is, in any one of the new nations of the world, a determined militant minority, the probability is that it will win in the end.

If this is the world in which we live, the obvious question arises: what do we do about it? For it is clearly not a very desirable world. Majorities are subjected to the often successful demands of more or less violent minorities. Sometimes they give in, if only to have their peace. Sometimes, they are made to give in, and their peace becomes that of the cemetery. Sometimes, they express their frustration by voting against the active minorities, but one suspects that such votes are often cast without much hope of success. Most of the time, the majority seems strangely silent, and it is this fact which I want to consider above all in looking for answers.

I have painted the picture of minority rule in stark colours, and the first thing to do is to temper them somewhat. By this I do not mean the fact that many areas of life in the OECD societies are little, if at all affected by minority rule; this is true, but not relevant to this argument. Furthermore, it is certainly necessary to distinguish clearly between the power of a few shop stewards in Coventry and that of the 'students' outside the American Embassy in Teheran. But the more important point is another one; it has to

do with that complicated and important notion, legitimacy. Legitimate rule has two aspects; it must work, and it must be right. The first of these has to do with effectiveness and the social realities of power, the second with justice and the moral justification of power. As we look at both, we may be able to distinguish between the inevitable and the intolerable aspects of minority rule.

For there are inevitable aspects, and it would be silly to ignore them. Robert Michels has argued many years ago that all organisations tend to be run in the end by small groups of activists; he called it the 'iron law of oligarchy'. We might of course go much further back in the history of political theory to make the point that democracy, taken literally, has always been a misleading notion. There is not, and never has been, a country in which the people in the sense of all people were in fact ruling (and the same is true for organisations and their members). The best that can be achieved is an effective system for making sure that those who rule do not ignore or trample on the interests of the majority. Elections, parties, a free press, even opinion polls are all instruments for preventing such aberrations. In this sense, legitimacy is a negative concept. No one should expect the enthusiastic agreement of majorities with what governments, trades union leaders, students' union presidents do; what matters is the absence of active protest.

Let me take this important point a step further. What it means is that the ancient idea of a mixture of democracy and oligarchy is not merely an aristocratic dream, but makes sociological sense; it is a plea for the rather old-fashioned idea of representative government. Legitimacy in this first sense can be upheld most effectively in countries, and organisations, in which leaders have the power to take decisions, but can be checked, indeed replaced, if they go astray. General political participation, including high turnout at elections, is often overestimated as an index of political maturity; what matters is that the feed-back of action and protest works. Some are not satisfied with such forms of legitimacy. If they tend to the Right, they demand more participation by referendum democracy, or by ballots. If they tend to the Left, they go even further. Let me evade domestic references and quote, by way of illustration, Colonel Ghaddafi's three principles of democracy: everybody must have the same economic position, thus all wealth must be distributed equally; everyone must have the same political position, thus all decisions must be taken by the permanent participation of all in everything; everybody must have the same access to means of coercion, thus all citizens must carry weapons. Far from checking minority rule, I would argue that both prescriptions in fact promote it. Given Ghaddafi's theories, it is not surprising that the economy of Libya is run by a small group of mostly foreign businessmen, and that Libya is one of the main sources of world terrorism, to say nothing of the fact that naturally Colonel Ghaddafi himself determines what democracy is to mean. And so far as referendum (or ballot)

democracy is concerned, it may work if no one expects more than an informed minority of, say, 20 per cent to participate (as in Switzerland), but otherwise it too is very likely to be abused as a justification for minority rule which it was never meant to be.

For to return to matters nearer home, and state a first conclusion which may well shock some: in many respects there is nothing either surprising or even objectionable to what appears to be minority rule, nor should one exaggerate the importance of what appear to be assertions of majority views. As long as it is possible to express dissent, to vote on issues, to elect new leaders, the fact that in many areas of public life we are faced with minorities representing minorities is strictly irrelevant. Government and the running of organisations is not about counting uninterested members; it is about doing things which are by and large acceptable, or at any rate not unacceptable to those who are represented. It is incidentally only on this assumption that leadership and progress are ever possible, and that minority rule—controlled, representative minority rule, to be sure—is almost a condition of freedom. It is worth adding that minority rulers in a free society usually have a fairly shrewd sense of how far they can go. Britain's trades unions know that they have contributed to Labour losing the last election; and the Conservative government will know when the moment has come at which more of the same economic medicine may lose them the next election.

These topical examples lead me to two comments of equal topicality which have nevertheless a more general relevance. There is an argument that the British election of last May, and to some extent the much-cited shift to the Right elsewhere, indicates among other things a protest against big organisations, notably trades unions, and justifies therefore action to curb the power of these organisations. The argument is in a strange way both right and wrong. It is true that people do not like being pushed around by giant organisations, whether they be public or private, and they certainly do not like a series of 'winters of discontent'; but it is equally true that people realise that they need organisations to defend their rights and their social position—and what is more, the same people feel both. The position is a bit like that with respect to public expenditure cuts: everybody wants to see them happen, except where they are themselves affected. Reading into a protest election a mandate for positive action against certain organizations may therefore easily turn out to be a costly mistake. Modern societies are complicated, and individuals live with conflicting roles; they need unions and hate them at the same time; they need government and hate it at the same time. There are certainly no simple answers to this dilemma.

The same is true for the use of ballots to indicate employee attitudes in industry. It is quite likely that many workmen, to say nothing of their wives, intensely dislike extremist shop stewards whose actions endanger their jobs and their future; it does not follow that they therefore love management and

its programmes for re-structuring, especially if these involve massive redundancies. There may be a case for having more ballots in industry, so long as it is clear that not too much must be read into them. No ballot is ever a *carte blanche* for management action; most ballots have a highly scientific, and usually a negative significance rather than one of endorsing positive action.

There is indeed no better way of summarising what my first conclusion is meant to suggest. One aspect of legitimate rule is that it should be effective in the sense of avoiding disruption and radical change such as would follow from the systematic neglect of the interests of the majority. Effectiveness in this sense requires leadership, but it requires sensitive, open, even exposed leadership and a subtle understanding of the paradoxes which characterise people's interests in a modern society. This is minority rule, but it is neither absolute nor maleficent, if and only if it remains possible to disagree, to voice such disagreement, and to bring about change.

These are big 'ifs', and they lead me to the other, much more worrying, indeed frightening aspect of legitimate power in relation to the rule of minorities, the moral aspect. In part, this may be a technical issue. No organisation with public functions—and this includes trades unions as well as enterprises and other organisations—should be allowed to get away with a system of organisation in which the majority cannot express its dissident views effectively. Indeed, I see no objection to legislation governing the internal structure of all such organisations (analogous to the *Parteigesetz* in the Federal Republic of Germany). In larger part, however, the issue is not technical, but moral. It has to do with the protection of individual rights which must not be subject to minority rule, or even to decisions by majorities for that matter. I thought it perverse, indeed frightening when last year, Conservative members of the students' union executive at LSE accepted a majority decision by the executive not to give Sir Keith Joseph a platform unless he signed an absurd capitulation first. It reminded me of one of the most shocking, if slightly comic stories in connection with Hitler's seizures of power in 1933. When the five-man liberal parliamentary group that was left at the time (and which included such distinguished figures as Theodor Heuss, later the first President of the Federal Republic, and three others who came to hold high political office in post-war Germany) discussed what to do about Hitler's Enabling Law which evidently meant the end of democracy, they could not agree and decided to hold a secret ballot. Three were in favour of voting for the Enabling Law, two against; and in the *Reichstag* the 'minority' abided by the 'majority' view: all five voted in favour. Here, the minority has acted as illegitimately as the majority. When the essential rights of the inviolability of the person and of freedom of expression are in jeopardy, there cannot be any right of majorities to dictate their view. More than that, effectiveness is not an argument for violating human rights. The fact that

most Germans did not actively protest against Hitler's policies does not make these policies legitimate in any meaningful sense. And while I do not intend any comparison in scale or quality, I would add that the fact that most trades union members do not actively protest against the harassment of uninvolved citizens by pickets, or the consequences of anyone being 'sent to Coventry' for having been a 'scab' twenty years ago, does not make these actions in any sense legitimate. Sir Keith Joseph had a right to speak at LSE once he had been invited by students, whether a majority of the students' union executive liked it or not.

Yet it is in this moral dimension that the real problems of minority rule arise today. Many people do not have either the opportunity or the courage to assert their rights. Yet this has to be done. Before I turn to the more institutional aspects of the problem, let me sing the praise of those who react in the only appropriate way and scream on behalf of others, make public the scandals of minority rule, never tire of arguing the case of individual liberty in the face of the threats of organisation—people like Peter Jenkins, Bernard Levin, Peregrine Worsthorne among journalists, or Tom Stoppard in his own impressive way, and fortunately they are not the only ones. So long as they can expose violations of the rights of powerless individuals, all is not lost.

But individual protest is only one side of the solution; the other has to be institutional. Here, the obvious and difficult question is how to draw the line between areas in which effective government is also legitimate, and others in which certain basic moral values are violated. This is a more difficult question in Britain than on the Continent, or in the United States; because it is precisely the function of a written constitution to define this boundary. Constitutions can err of course; they may need amendments; they are interpreted by the courts; they too can turn out to favour certain groups and to put others at a disadvantage. But they are about the moral boundaries of legitimacy, and in that sense they are meant to counterbalance what Lord Hailsham has called 'elective dictatorship', that is illegitimate minority rule. (Dare I add that the *Federalist Papers*, though more than 150 years old, are still the most instructive document on this score?) But of course Britain does not have a written constitution; it has an elective dictatorship. And one of the unfortunate results of this fact is that parliamentary majorities are tempted to deal with minority rule by what, with a Nazi-tainted ugly word, would be called *Sondergesetze* in Germany, that is legislation directed at particular groups rather than applied to all citizens whatever their memberships and qualities. I regard this attempt to protect people from minority rule as misguided, setting a dangerous precedent, and above all unnecessary.

When Lord Justice Scarman gave his Hamlyn Lectures in which he demanded if not a full constitution for Britain then at least a written, and if possible entrenched code of certain elementary human rights, he encountered much scepticism. Indeed, I myself argued at a meeting convened by Mr.

Timothy Raison* that Britain had been a haven of safety for many thousands who had to flee countries with beautiful written constitutions, and that there was therefore no good reason to go the Continental way. Since then, I have however changed my mind. In modern societies with their vulnerability to minorities there is a definite need for giving the individual, whether or not he or she is represented by powerful groups, effective tools for his or her self-defence which are tools of the law rather than guns, or airline tickets to distant places to which people emigrate. These tools are especially important in so far as protection against overpowering organisations is concerned, be they giant employers, small or big trades unions, government bureaucracies, or even students' unions. This is not the place nor am I the right speaker to discuss the details of such tools. Lord Scarman himself seems to favour nowadays some kind of entrenchment of the European Convention of Human Rights. I am less sure about this particular instrument; it seems to me that Britain's Magna Carta is almost bound to have elements which are peculiar to the cultural traditions and political institutions of this country. In any case, it is good news that the Lord Chancellor has now agreed to hold all-party talks on the question; and I for one hope that their results will make special legislation for the protection of individuals against minority rule superfluous.

No doubt, these remarks fall short of a practical solution. They are in fact meant to do just that. The intention of this chapter is to vent principles rather than to map a practical course of action in any detail. The principles are however applicable not only to the milder forms of minority rule to which I have referred so far. They apply, *mutatis mutandis*, to the more violent versions of minority rule as well, and two brief comments may be in place in this connection.

First, so far as terrorism is concerned, my own answer is simple, although I would not claim that its implementation is equally simple. Even the minimal state requires elementary instruments of law and order. In so far as they are legal instruments, they should again be general rather than specifically directed at terrorist groups. If special prisons are necessary, or a special force to deal with terrorists, this is regrettable though possibly unavoidable for a period. On the legislative side, however, the very basic rights which I would like to see entrenched in this country as in others should suffice to deal fairly and firmly with violence by representatives of minorities. At the same time, the law does not suffice in order to deal with these minorities themselves, let alone with the latent support which they enjoy. Here, the complex question of 'political' solutions arises. The Swiss were wise to accept the formation of the new canton of Jura by a nationwide referendum. Many German politicians were unwise to define the issue of terrorism as one of a tiny criminal minority; as a result, more than fifty per cent of all first- and second-time voters in the city states of Hamburg, Berlin and Bremen have not given their vote to one of

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the parliamentary parties in recent elections. On Ireland, I have no more of an answer than anyone else; that is to say, whatever answer is given, will be painful and, one fears, bloody. However, this is not to say that the double thrust of legitimate rule, insistence on basic human rights coupled with a subtle sense of effectiveness, is not applicable here as well.

This is also true—secondly—for the issue of minority rule in the new nations. Lord Carrington has shown a singular ability to combine a sense of reality and a sense of morality with firmness and courage in the Zimbabwe-Rhodesia talks. What we find here is that tragic conflict of effectiveness and morality which is also characteristic of revolutions. There is no question of the moral offensiveness of guerilla warfare, as of the official warfare of governments. Let me repeat that there can never be a moral excuse for violence, whatever practical excuses may be offered by those at the successful end of the trigger. Moreover, it would certainly be preferable if only for these moral reasons, if a gradual transition from illegitimate to legitimate government turned out to be possible. It is also clear that in terms of effectiveness at least, this is not possible in Zimbabwe-Rhodesia without the involvement of the Patriotic Front.

What if the valiant attempt to bring about legitimate government without violence does not succeed? The story of democracy in Africa, indeed in the entire developing world, is even more sad than that of democracy in Europe. Where mild and humane Western-type democrats tried—like Kofi Busia in the naturally-peaceful country of Ghana, or even Pandit Nehru in a Subcontinent much more given to turmoil and violence—they did not get far enough. In a sense, countries were fortunate if all they got instead was a General Acheampong or even an Indira Gandhi; Idi Amin and Jean Bokassa are at least as likely candidates. The transformation that is needed in these countries, or at any rate the one that is wanted by their new élites, may well be too radical to be possible by means of parliamentary democracy. Unless they choose to remain in traditional tribal, familial, or caste dependence, their societies will have to be turned upside down. If they are fortunate, this will be done by someone who faintly respects the rule of law even though he or she abolishes democracy; but most are less fortunate and fall victim to the kind of minority rule for which Europe has set such terrible examples.

More often than not, the resulting picture is gloomy. Minority rule is effective but immoral; majority rule is more nearly moral, but ineffective. *Hic Rhodus*—but where is one going to jump? What is the choice of those involved, of those who have an historical responsibility outside, and of those who regard the scene with a view to the greatest life chances of the greatest number? In practical terms, it is probably difficult to do better than all those involved in the talks at Lancaster House have done in recent months. More generally, it cannot be repeated too often that there will be no progress

without legitimacy, and there can be no legitimacy without justice as well as effectiveness.

I began this lecture with a reference to the contradictions of modernity for which the transition from minority rights to minority rule is but one example. Making sure that citizenship rights are extended to all was, and is one of the tasks of modern, civilised societies. But it does not solve all problems. Indeed, minorities have not only learned to be vocal, they have also discovered how easy it is to disrupt the flimsy texture of advanced democracies. Institutions crumble, individuals can be removed all too easily, and those faced with the alternative described so vividly by Aron—that of creating martyrs or losing face—have a frightening tendency to waver and dither. Clearly, this is not good enough. The defence of minority rights certainly continues to be a defence of *minorities*, but increasingly it has also become a defence of *rights*. If we want to inject an element of stability into the foundations of free societies, it has to be the unwavering insistence on the inviolability of the individual and his or her right of expression. Moreover, such insistence must not stop at the boundaries of countries which like to invoke non-interference or the argument that human rights are a mere Western idea in order to preserve their own inhumanity. Human rights are not a Western idea; they are truly universal; the life of a Cambodian peasant is worth as much as that of a British admiral, and as important to defend. Non-interference may be a sound diplomatic principle in some respects; the Soviet Union is certainly free to run down its economic potential without having to listen to lectures by Milton Friedman; but with respect to human rights, boundaries of states cannot exist. However, here as in other respects, not only charity begins at home. If there is any one theme of these remarks on the changing role of minorities, it is that tradition, however splendid it may be, is probably not enough to guarantee essential human rights to everybody. For those who are victims, affirmative action is needed. For the rest of us, effective protection against minority rule requires a bill of rights and the watchful attention of all.

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CHAPTER 9

Prejudice and Unemployment

RT. HON. SHIRLEY WILLIAMS*

Being a minority, in the sense that the Minority Rights Group talks about, is to be part of a group that political forces can easily disregard. What the Minority Rights Group is all about is giving the kind of high profile to minorities that make it impossible for them to be politically disregarded.

I don't think that I, being fair, blue-eyed and white, knew what it was to be in a minority until two experiences, one a major one in terms of its emotional impact and the other one relatively humorous, both making the point that I belonged to a minority. The first occasion was when, about ten years ago, I happened to wander into the black belt of Chicago, I was hungry and I went into a fast-food shop in order to buy a hamburger. The clientele, like the people behind the counter, were entirely black and I sat waiting to be served. I sat waiting for about half an hour and then asked what is happening: nobody responded. For the first time in my life I knew what it must be like to be black.

The second occasion, much more light-hearted, was when I first entered the House of Commons and decided that I would look in all the places I hadn't been able to go in before because I hadn't been a Member. I saw a door marked 'Members Only' and pushed it open and realised that it should have been marked 'Gentlemen Members Only'. I realised then that there were Members and there were Lady Members, and they weren't the same thing. In spite of Mrs Thatcher, they still aren't the same thing and therefore any woman understands a little better than any white man what it is to be a minority, even though they happen to be a majority.

Let me turn now to the subject of this chapter, which is prejudice and unemployment, and say—what must be obvious now—that unemployment is going to be the over-arching issue of the next few years. It is going to throw almost every other political issue into the shade, and a great deal of the debate—not only in this country but in the Western world and for that matter in the Soviet bloc—is going to be, in one form or another, about unemployment.

The reason for that is obvious enough and I needn't stress it at length. The

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world has changed fundamentally since 1973 when the price of oil ceased to be the price of a cheap raw material and became instead a bargained price, its level set by collective bargaining between its producers and its consumers. From that day on, from the establishment of the OPEC trade union, oil has a political price which is not simply a price determined by the power of the consumers against the weakness of the producers. It is significant that, leaving inflation out of account, the price of oil has increased four times over in real terms since 1973. At no time in the history of energy-related industry has the component of energy increased at anything like that speed. The price of oil affects the price of all energy-related things, including synthetic materials, raw materials and food itself. We have moved out of the era of cheap raw materials and I doubt myself if it will ever come back again. It means for this reason that we are going to look, at least in the next four or five years, at relatively slow growth or perhaps even negative growth.

The change has been extremely swift. As late as the 1960s and early 1970s, most people in the industrialised world expected a rate of growth of around about 3 to 4 per cent a year; that was what happened almost regardless of economic policy, with very occasional years that were slightly more stagnant. That was the long-term rate of growth. The last couple of years and the projections for the next two years show either no rate of growth, a very small rate of growth or a negative rate of growth. It is estimated that this year in Britain our manufacturing output will fall by 10 per cent: it is estimated that our Gross National Product will fall by 3.5 per cent, and that the American Gross National Product will fall by about 1.5 to 2 per cent—it may be more now that President Reagan has taken over from President Carter, because President Reagan shares monetary views with our own Prime Minister. And it may also be that even a country like West Germany, the great industrial miracle of the Western world, will also begin to stagnate. It is significant that recently Count Otto Graf Lambsdorff, the Economics Minister of the Federal Republic, said, 'We will be fortunate if West Germans are as well off in 1984 as they are today'.

Now all of this is a very great change from the recent past, from the thirty relatively complacent years since the end of the Second World War in which all of us have solved many of our political, social and economic problems by looking at growth to float us off the rocks and keep us some distance away from them. This also means that our problems for the next few years will be exacerbated, not least the problem of unemployment. It will be further exacerbated—in addition to little or no growth, and the impact of rising raw material and energy prices—by a mood throughout the whole of the Western world against high public expenditure, which in turn of course means that the public expenditure which has paid for the massive increase of public sector jobs in the public services is likely to level out or even to decline. This is significant because the public services have been among the most significant

employers of educated young people: more than half the graduates, for example, in West Germany go into public service jobs, and much the same is true of the United Kingdom where education, the health service and the social services have been very rapidly expanding areas of employment.

The first thing to say about unemployment is that it is directly affected by the demographic profile: and this over the next few years, and indeed over the past two years, has been one in which we have had in the Western world the largest age-groups of people entering the labour market of any period in our history. Those who have been entering the labour market since 1978 and will go on entering it up until 1984 constitute the largest age-groups ever born in Britain, or for that matter in Germany or the United States, or in most other countries of the Western world. These large age cohorts approaching the end of their schooling are greater by a factor of about one in four as compared to their elder brothers and sisters of seven and eight years ago. One of my most distinguished colleagues (and for that matter previous bosses), Lord Glenamara, was Education Secretary at the time when all our concerns were directed towards trying to get teachers in front of this age-group in primary schools. We just managed it and then the age-group moved on to the secondary schools and now, tragically, that age-group has reached the labour market with virtually no provision being made to cope with its expansion *vis-à-vis* earlier years, that is to say no banking of skills, no training for the future, no provision to try to deal with the unmet demands of this population bulge.

The other thing to say about these large young groups between the ages of 16 and 20, is that they coincide with a very small retirement cohort. People now 65 were born in 1915, and there were very low birth rates during the First World War and on into the early 1920s. So for some years ahead we have this frightening demographic coincidence of more young people and smaller retirement groups than at any time in the recent past. And then there is another fact, a factor of great significance in Britain, the United States, Sweden, the Scandinavian countries (which, however, is not of the same importance in Germany, Italy, Spain or Portugal): and that is the incidence of women seeking work, which in Britain, the United States and Sweden varies from 55 per cent to 70 per cent. In Sweden 70 per cent of women work, in Britain about 55 per cent, whereas in Germany the figure has hardly changed over many years now and remains just above 40 per cent. So this extra factor too has to be considered: a steady increase in what is called—rather inelegantly I think—the participation rate among women.

Unemployment is not homogeneous, and this brings me to the subject of this chapter. It hits some groups very much harder than others; it always did, but in our own innocence and in our own optimism we have in fact made that position more exaggerated: for example, unemployment in the Western world is very much higher among the young—that is to say people under the age

of 24—than it is among people in their middle years. Consistently we see figures of unemployment two or three times greater among young people than exist among people between the ages of 25 and 55. To take the British case, we presently have a general unemployment level running at about 8 per cent; we have an unemployment level among young people of over 14 per cent. In Denmark there is 8 per cent average unemployment, 16 per cent among young people. About the same is true of France, whereas in the United States it is rather less than this, about 7 per cent general unemployment; again, there is about 16 per cent among young people.

So characteristically when we look at the Western world we look at a situation in which unemployment is peculiarly visited upon the young; the most extreme instances of this are to be found in Spain, Italy and Northern Ireland. In Northern Ireland about one in five young people is today unemployed; in Spain about one in five; in Italy about one in four; and these are levels of unemployment so high among the very volatile 16 to 24 age group that I have to say it is not altogether surprising that Italy, Spain and Northern Ireland have been characterised by a move towards extra-legal activities on a very substantial scale: they are all countries in which for many young people there is virtually no hope of a job at all, however well one behaves, however hard one works at school, however many efforts one makes to try to get a job. All three of them are societies of despair for some young people.

There is another group which is particularly hard hit by rising unemployment, and that is girls and women. It is normally the case in the West that unemployment among girls and women is substantially higher than it is among men and young men. For example, in Germany there are two-thirds more girls unemployed than boys; in Denmark 60 per cent more women unemployed than men. What are the reasons for this disparity, which incidentally does not exist in Britain? There are two. The first reason, which relates directly to prejudice and employment and prejudice and unemployment, is that throughout most of the industrialised countries that we are looking at, the degree of discrimination against women in training for skills is very marked indeed. Women are allocated in Britain about 15 per cent of all the apprenticeships available and when you take away from that 15 per cent one industry, there's little left. (It is hairdressing that has more than half of all the women apprentices in Britain. It is an extremely lowly-paid trade which depends upon apprentices to do a great deal of its work. So hairdressing likes young women it can turn in and out very rapidly and all paying them rather badly as apprentices.) If you look at other apprenticeships—engineering apprenticeships, construction apprenticeships, most other kinds of apprenticeship that lead to highly skilled jobs—then you find in almost all our countries few women in them and such women as are in them will be clustered at the lower-paid end.

Now this isn't just true of Britain. Let me give you a few examples from other countries. In the United States after a major effort, 20 per cent of apprenticeships now go to people from ethnic minorities, Hispanics, blacks and some other minority groups in the community. Two per cent go to women. If you look at the position in Germany, then the average allowance for a boy who is an apprentice is approximately 550 DM a month: in the case of a young woman it is between 250 DM and 300 DM. Both have to live, food costs the same, but the distinction is that the girl is worth only about half as much as the boy, the reason being that she again tends to be in relatively badly-paid skills and trades. Let me take another example from Germany, which has a splendid record when it comes to youth unemployment generally. Germany, Austria and Switzerland are the only three countries in the West that have youth unemployment no higher than the general level of unemployment, both being about 4.5 per cent. Yet, even in these countries, there is prejudice associated with unemployment. Recently I found out that in Germany there are only ten substantial firms prepared to offer apprenticeships to girls in what are called non-traditional trades, which we would call engineering, electronics, electrical work, things of that kind: ten firms in the whole of the Federal Republic. There is an element of prejudice against women in that it is very difficult to get part-time jobs and the great majority of women, particularly married women in Germany, want part-time jobs. Does anybody know why? It's very simple. In Germany almost all schools are half-day only schools. So if the woman isn't at home being a traditional wife and mother as she is supposed to be, then what happens to the children who come out of school at half past one in the afternoon? Work does not stop at half past one generally speaking, it has the same kind of pattern as it does in this country. Prejudice has an odd way of blinding even progressive people so that they do not see that the half-day school, the school that runs from eight until one thirty, virtually blocks out for any conscientious mother the possibility of working seriously at all. That is one reason why the participation rate in Germany among married women is so much lower than it is in Sweden, the United States or the United Kingdom.

I come finally under the heading of prejudice against women to the case of Denmark. Most of us would think that Denmark would be a shining example of equality between the sexes, the races, the religions. To some extent we would be right. Denmark is a country characterised by a very advanced welfare state and a fairly equal distribution of income, but in Denmark one finds again this characteristic of very much higher unemployment among young women than among young men, and the reason is a most sad one. The reason is that Denmark has got nearer than any other Western European country to equal pay. In Denmark the average wage for a woman is 85 per cent of what it is for a man, as against roughly 60 per cent in Britain—we haven't progressed very far in Britain in spite of the law on the statute book

for the last ten years. Yet the sad thing is that Denmark in nearly reaching equal pay has had to live with the backwash of that in terms of very much higher unemployment among young women than among young men.

I now come to the third case in my litany of prejudices, young against old, or middle-aged; girls against boys; and the third one, black against white—which is perhaps the most obvious choice of subject for this chapter. Prejudice, however, takes so very many forms. We find it so hard to see, except when it fits our own expectations and our own familiarities. So now let me come to racial minorities. Without question it is harder for racial minorities to get jobs than for the majority community, that is to say in the Western world, it is harder for black and brown citizens than for white citizens. Recession makes it worse by a factor greater than constancy, in other words when you get a recession and unemployment rises, it tends to rise faster among racial minorities than it does among the host or majority community. In Britain we have a very pious and somewhat hypocritical attitude which is based upon not counting racial minorities separately from white majorities; this has the great convenience of blurring the facts regarding anti-racialism.

I remember one of the fiercest arguments we used to have in the Government of which I was part was whether or not we should have an ethnic question in the census, the view being that to ask the question: 'Are you black, white, brown or of mixed race?' was in a sense offensive. I understand that feeling very well, though in a truly tolerant society it couldn't be offensive because it wouldn't matter any more than it matters to say: Are you male or female?: most of us no longer take offence and don't any longer answer the question 'Sex?' by 'Yes please'. A friend of mine, a man, used consistently to do this in the name of equality of women. But we still feel so much more sensitive about race that most of us find asking the first question, a very difficult one to require society to answer. So what we do is we get around it in most marvellously complicated ways. We ask things like 'Were your parents born in the United Kingdom?', and then we ask 'Or were they born abroad?', and then we ask questions like 'What about your grandparents?', because it suddenly strikes us that they might after all be coming back from the old Raj and could actually have white parents born in India—and that isn't what we meant at all so we ask about grandparents: at this rate unless we change quite a lot we will quite soon be asking about great-grandparents.

I find few things more offensive than the concept of grand-patriality, which is what British racialism now firmly hides behind when it comes to immigration law. Nevertheless, it is a real question and I throw it back to you to think about the implications of it. We still haven't actually asked this question about race. We still do ask the question, 'Where were your parents born?', so that we do not know very much about the equal opportunities, or unequal opportunities, of our own racial minorities. It is probable—not

certain, but probable—from various sample surveys that have been done that unemployment among young blacks is probably about twice that among young whites, and I have already pointed out that among young whites it is about twice that among the population as a whole. We seem to be going into darkness little by little and that is very appropriate to the remarks I am about to make. In the United States, official figures show that the unemployment among young black people under 24 is at the present time about one in four—about 25 per cent—but in the inner cities that figure rises to about 60 per cent. In Watts today, unemployment among young blacks is 60 per cent, in the Detroit inner city it is 40 per cent, and generally speaking in American inner cities it is around 50 per cent.

But this figure itself is an optimistic one, because 700,000 young people, all of them of minority races, Hispanic or black, have actually disappeared from the American statistics altogether. These young people have ceased to what we call in Britain 'sign on': they have just vanished. The reason they have vanished is very plain: in the United States you are not entitled to unemployment benefit unless you have an insurance record; whereas in Britain, as you know (and in Norway, Holland and in a number of other countries) you may draw supplementary benefit even though you have no insurance record. So it is worthwhile to sign on to show up in the statistics, because at least it is worth £12 or £13.50 a week. In America it is not worth anything at all, so you don't show up: you vanish. There are 700,000 missing youngsters, which is quite a big figure, including about five per cent of the total number of black youth in America. This means that to the knowledge of official America they are living on absolutely nothing. Now they may be living on their parents, odd jobs, betting, running drugs, or crime, but we don't know, we have no idea; all we know is that they have no known income. If you throw them into the statistics and assume that they are black, which they probably mainly are, then your figures go up by about another 10 per cent and we are looking at something like 70 per cent in Watts, 50 per cent in Detroit and so on. What that means is that if you are young and black and living in an inner city the odds are that you will not get a job at all or at best you will get a temporary job in something like a fast-food stall making hamburgers.

It isn't a very hopeful or helpful outlook. Yet I have to say about the United States—before I move on to look at Germany—that the United States has been remarkably more successful than Western Europe in one respect, in that it has been a magnificent job creator. Between 1975 and 1979 in the United States, and perhaps we should pay this little meed of praise to President Carter, 12 million jobs were created. If Britain had done as well we would have created three million jobs. In fact we created almost none in net terms. So let us pay credit where it is due.

I come finally in my little list of the prejudices, before I turn to talking

about some of the things we can do about it, to West Germany again. West Germany, I repeat, has an excellent record in respect of young people, a rather more patchy record in respect of women and an extremely bad record in respect of the *Gastarbeiters*. The *Gastarbeiters* who are disproportionately Turkish and Italian have had remarkably little provision made for them—indeed in the last few years 650,000 of them have come to the end of their contracts and have gone home—which has had quite a marked effect on Germany's relatively successful levels of unemployment. In respect of the provision made for *Gastarbeiters* and the children of *Gastarbeiters* in schools, in further education and in vocational training, we can half hold our heads up in this country because we have done better by our Asian and West Indian minorities in terms of education and provision for the teaching of English as a second language, for example for youngsters whose native language is Punjabi or Gujerati or Hindi than the Germans have done. Since I often feel that the United Kingdom goes in for a quite peculiar form of collective depression and melancholia, I think one should put on record the fact that at least relatively—which isn't to say absolutely, but relatively—the educational provision made in this country for the minorities (with all its faults) is probably—no, certainly—the best in Europe of what I have seen.

The last group I want to mention against whom prejudice exists is the educationally disadvantaged. Now this is so obvious that I only need to say it very quickly. But the incidence of unemployment against those who have had only ten years' education in Britain or seven or eight in the countries of Scandinavia or Germany is very much higher than among those who have completed their secondary education. I won't bore you with figures but to put one or two briefly: the proportion of people who do not complete secondary schooling in American inner cities is 50 per cent and among that 50 per cent unemployment is twice as high as generally; in Denmark one third of girls who did not complete eight years' education or more are unemployed, one in four boys.

And so, to bring it all together, let us now draw a picture of the typical unemployed person in three countries. The typical unemployed person with little hope of unemployment in the United States lives in an inner city area in which many of the tenement blocks have been burnt down. (There is a very charming custom in New York which is that when you have got every penny you can out of your privately rented tenement building you burn it down because at least you can get the insurance for the very last little bit that you can get out of that building. Go and drive through Harlem, as I did last month, and you will be amazed to see people living in what appear to be burnt out charred blocks of flats because the landlord, or sometimes the desperate tenant, have straightforwardly tried to burn them down. Brownstone doesn't burn well nor does concrete but at least it looks burnt down even though it is still standing.) In those burnt-down tenements children go to pretty awful

schools, schools in which very often there is a guard with a gun on his hip to keep order in the secondary schools—that is typical of schools, for example, in New York, in inner city Washington, in parts of Chicago. Many of the youngsters will not complete school, as I have already said, and many of them are already engaged in the unofficial economy of drugs, of betting, of drink and of despair. Many will not graduate, many of the girls will be pregnant at very young ages: for example in inner city Washington DC last year 35 per cent of girls under the age of 19 were already parents, and if 35 per cent were already parents then quite a lot more were probably pregnant on their way to becoming parents. That means that they were becoming part of a cycle of permanent deprivation. It isn't helped by the fact that even today in the United States the welfare laws say that any woman with children over the age of six must sign on for employment and cannot draw welfare if she doesn't do so. What that means is that kids, often from single-parent households, have the cycle of deprivation written into the law, because the law says these children will be deprived of often their only parent from the age of six if they can possibly put that parent into a job because the state requires this.

Let me give a similar picture of a youngster in Britain. He or she—and in Britain it can be either he or she—will probably live in a windy, rubbish-strewn estate, in which there are virtually no amenities of any kind, in which the high blocks, put up before anybody thought that people liked to do anything except live like rabbits in hutches, in which the lifts are covered with graffiti and often don't work, in which the smell of urine is all pervasive, in which there are virtually no amenities. I am talking about the great estates of Manchester, Knottingley, and Castlemilk in Glasgow: ask yourself what you would do if you were an energetic sixteen- or seventeen-year-old sick and tired of the television to which your parents were glued and wondering how to spend the evening. Well the answer is, of course, that you probably spend the evening with your mates, you would share out as many cans of beer as you could afford and you would not think much of anything that was advocated not by your peer group but by your elders—for example, education. Your schools will not yet, at least, have an armed policeman, but there will even today be schools in which perhaps one member of staff out of five or six left every year. (Things are much better than they used to be: in the period of very high birth rates at the end of the 1960s Ted Short* and I were looking at rates of turnover in the schools of as much as one teacher in three in the inner cities. Now it is one in seven, partly because of unemployment.) It is still high, however, and means that many inner city youngsters in Britain are looking at teachers who are there for a very short time, too short a time to actually teach them very much or to establish the crucial pastoral relationship which may pull youngsters out of the mire. Incidentally, of course, they will be very short of teachers of mathematics and science even though mathematics is essential for many good jobs.

* former UK Secretary of State for Education

Finally, a similar little picture of an unemployed young person in the Federal Republic. She will probably be Turkish, her parents will be deeply traditional, they will feel that she ought to stay at home or work in catering, as a nurse or work in something which is an acceptable female occupation. They won't like her going to a further education college and they may stop her going because it is co-educational and they don't want their young adolescent daughter studying alongside boys. They will be against her getting more education and if she fights for it she will have to fight a very bitter path against her own community in order to get it.

Now let me turn to what is being done about this situation. First, in the United States, affirmative action. The MRG report on *Race and Law** in summary says equal opportunity means little when the starting point is so unequal: and the starting point, as I have already said, *is* so unequal. So, in the United States what has been attempted is affirmative action. Examples of that include the Elementary and Secondary Education Act of over ten years ago, in which such projects as Headstart and the targeting of disadvantaged groups are characteristic elements. Headstart has been on the whole successful, and its failures have not been in itself. Headstart, as some of you will know, is a programme for giving pre-school education to disadvantaged youngsters, most of them black, some of them Hispanic, some of them white. The problem with Headstart is that it has lasted too short a time: it just gets going and then it stops. Typically, it goes from five to eight, or six to nine, and as soon as the youngster has reached the stage where he or she can read, write and handle mathematics the programme comes to an end and the child is then tossed back into the maelstrom.

In many ways I admire what the Americans have done; they have been much less hypocritical than we have and they have fought a battle about racial equality in which people have clearly lined up for it and against it and there isn't the sort of mealy-mouthedness that one gets in Britain. Nevertheless the second weakness of affirmative action is that it picks people out—and in the fourth grade, this can be a disadvantage. Although it may be that the Federal Government is trying to lavish extra resources upon these youngsters, targeting itself begins to undermine people's confidence. One of the things one has to do if one is going to go down the road of affirmative action is to make targeting a much more sensitive, much more blur-edged, thing. I would prefer to go for what I call 'thickening up', which is gradually to increase the resources of able, experienced teachers, of text books, of teaching aids, of welfare helpers, for disadvantaged youngsters rather than making a sharp division—you are disadvantaged if this comes to you, you are advantaged if this doesn't come to you.

To sum up, let me give you one example which I saw widely in the United States when I was there: that is youngsters actually being taken out of

* MRG Report No. 22, £1.20, 29 Craven St., London WC2.

targeting when they had achieved average reading standards for their age. Consider school in Louisiana: it may be a 60 per cent black school, it has done a first-rate job, it's got dedicated teachers, a good headteacher, and has really worked hard. The result is that a majority of its kids reach average national reading standards. Their reward is getting completely struck off the targeting for additional financial resources, so that the effect on the school is that it is immediately given the prize of having all its resources cut off. So targeting mustn't be of that kind.

Let me say one other thing about targeting and about affirmative action or positive discrimination. The Bakke case was an example of a white man who objected to a minority entrant system for the medical school of the University of California—most of you will be familiar with it and with the Defunis case as well. Both cases were brought by white males who felt that they would have got into the university of their choice and the department of their choice had there not been a programme of positive discrimination which allowed black males and in some cases women, both black and white, to get in on lower standards. As you may remember, the Supreme Court upheld Mr Bakke's appeal* and said that there would have to be some other form than one which refused him equal opportunities under the law. Now I believe that that is exactly the wrong way to go about a policy of improving the position of minorities. Once you pronounce publicly that you have got a lower level of entry for women or for blacks or for Hispanics, then you are pronouncing as it were a permanency that they, these women, these blacks, these Hispanics, cannot reach the same standards—which is rubbish. The reasons that many cannot are the reasons that I have already explained, the nature of the environment, of prejudice, of having very little cultural backing behind them very often because of where they live and sometimes of course also because of eroded family structures.

I think much better than the brave American attempt at positive discrimination in terms of lower standards of entry is what has been started in Britain in a very modest way: the concept of extending the period of education to the point needed for many people to reach those standards. In other words I believe in the idea of a bridging course to allow youngsters to achieve the standard necessary for passing their two A levels—lasting three, or even four years—with financial help from the state which is absolutely essential, and educational maintenance allowances, rather than saying 'Everybody has two years but you can get in with only one A level'. In the end that is, I think, self-destructive.

The second thing that is absolutely crucial is that we reform the whole apprenticeship structure in Britain and the United States—it is not necessary in Germany—to provide a structured transition from school to work for all youngsters. Thirty-seven per cent of British youngsters leave school at 16, we

* by 5 to 4, on 28 June 1978.

did raise the school leaving age to 16, but then they leave school and absolutely nothing happens to them. They are unqualified and they start floating around looking for an unskilled job. A very high proportion of those are youngsters from the ethnic minorities, especially from West Indian minorities in Britain. And yet we throw these kids—the least qualified kids we have—with nothing to clothe them, into a hostile employment market; so my second plea is that we seriously look in Britain at the possibility of traineeships for all young people, building out of the Youth Opportunity Courses now available which are getting better but still have a quality of make-work about them. What we really need is structured training, ranging everywhere from knowing how to pick up a phone and answer it, how to write a letter to an employer, how to know what language to use, what clothes to wear, how to approach older people, all the way up to learning basic vocational skills which might lead to a better job. This is the real reason why unemployment in Germany is four per cent among young people and why it is 14 per cent in Britain: we still have so many unqualified young people in Britain battling with one another for unqualified jobs. The paradoxical thing about skill training is that it actually creates employment itself because it begins to build up the possibility of greater elements of skill in the production process itself.

The next thing I want to say is that in Britain we have got to recognise the power of government and of the public sector in respect of breaking down prejudice against minorities in the field of employment. Why haven't we got in Britain the requirement that public contractors must check that they do not discriminate? That was done by Roosevelt, right back in 1940 at the time of the Fair Employment Practices Commission, and in Britain in 1980 it still has not been achieved—although there are, as I know very well, in Whitehall many pious memoranda and circulars about it. Why is it that we do not monitor the position of ethnic minorities in such public institutions as the army, schools, and hospitals, to find out how many ethnic minority men and women we employ and at what level we employ them? We don't even do this for the civil service and I can tell you that the civil service was extremely upset when my then colleague, Ted Bishop, bravely led the battle for ending discrimination against women by putting down profoundly embarrassing questions, one to each department of government, which asked the simple question 'How many women are there at Permanent Secretary, Deputy Secretary, Under-Secretary, Principal and Assistant-Principal level?'. The answer in some cases was almost none, but it had an electric effect on government departments and they actually began to look around to see if there were any women they could promote. May I suggest that the same thing badly needs to be done in respect of ethnic minorities? Are there any Assistant-Secretaries, are there any Principals; if not why not? If it is the case that there are far fewer in the Home Office than, let's say, in the DHSS,

why? Those are the kinds of important questions that in Britain need to be asked—very embarrassingly.

Next we need to monitor Mrs Thatcher's hated quangos. We still have some quangos, some actually being born, though they are no longer called quangos. Now they are called other names like pangos, but this is irrelevant. These non-statutory bodies—these endless committees for this, that and the other thing—which are so typical of Britain ought, wherever it is relevant, to contain members of the ethnic minorities. Yes, I know, it can merely mean a statutory woman, but better a statutory black woman than no black; because a statutory black will eventually turn into two blacks, just as statutory women have moved rather away from being statutory women and have turned into statutory Prime Ministers. Now I will say, and I am only going to blow my own trumpet once, when I was at the Department of Prices and Consumer Protection we went out of our way to look for ethnic minorities for the National Consumer Council, for the local Consumer Councils and for all the other bodies. We found and still have today a number of very distinguished members of ethnic minorities, both Asian and West Indian, who came up through the path of the National Consumer Council and the Regional Consumer Councils, because we went out to look for them. You have always got to go out and look for unconfident sections of the community. It's no good sitting back and saying let them come; they don't come. You have got to look for Catholics in Northern Ireland, for women and black people and brown people in Britain. You have got to go out and seek them in the hedgerows and the byroads and not say they ought to come to us: they won't.

Some time ago I was giving a lecture in the United States about Women in Politics, a subject of obsessive interest in the United States. For obvious reasons they are always trying to get British speakers to come and speak about it: they find it totally arresting that both the Head of Government and the State in Britain should be women, at a time when it is almost inconceivable that you could have a woman running even for Vice-Presidential candidate in the United States, unless she represented a party that had not the slightest hope of ever getting there. The chairman said to the audience 'I now want to introduce to you a role-model'. I couldn't understand what he meant—a roll model? It seemed to me to have something to do with a baker in trouble. And then it all dawned that what he meant was a role-model and I was a role-model for women in politics.

Role-models matter—they really matter a very great deal. The role-model for most women in Britain was the headmistress and the hospital matron in the 1920s and 1930s and the principals of colleges. They were of the greatest possible importance, the great generation of terrifying noble, brilliant women—spinsters most of them—who persuaded women in Britain that you could have a woman in authority. Some women, nothing like enough, have subsequently become heads of co-educational schools and even (dare I say it)

consultants and not matrons; and in doing that have also taught boys that a woman can be in a position of authority. The pity is that among our racial minorities there are very few role-models at the present time. There are some: we have got a few role-models in the sense of people on the media—no, not people playing light comedy, not people singing popular songs, but people singing opera, giving news commentaries, leading in documentaries: the Trevor MacDonalds are terribly important in showing West Indian youngsters where they can go. We need to search for people who can be role-models to our own ethnic minorities. There are few in the board rooms; I have to say with great sorrow that there are few among the regional and national organisers of the trade unions either. There are not enough—nothing like enough—among senior positions in education, though there are beginning to be some, and there are at long last one or two HMIs from the ethnic minorities. Judges? Just one example. What about Bishops? Among the older generations of professions, if I may call it that, where you reach the heights at rather ancient ages, you see very few Asians and West Indians for the straightforward reason that most of them haven't reached those ages yet.

The circles of power in Britain—as in Germany and the United States—still remain to an exceptional extent elderly, male and white. It is only half way an achievement for them to become elderly, female and white. They have got to become of more varied age, of both sexes, and certainly of more varied colour, before we can begin seriously to say we are what most of us would like us to be: namely, a genuinely multi-racial and multi-cultural society.

(1980)

Human Rights Today: Must the Few be More than the Many?

BY SIR SHRIDATH RAMPHAL, CMG, QC*

The concept of minority rights conjures up the image of majority power. It is from the abuse of that power by the majority that the rights of minorities need to be safeguarded. Others before me, however, have drawn attention to the need to avoid so narrow a focus; have shown how power quite often resides—sometimes openly, often covertly—with numerical minorities, how that circumstance itself is a denial of fundamental rights, and how the exercise of such power in disregard of the interests of others is an abuse which falls not merely upon helpless minorities but upon weak majorities. No one, I believe, has better captured this reality than Rabindranath Tagore when he wrote of an unequal world in which ‘the few are more than the many’.

What Tagore was asserting was that in our imperfect world, superior political force quite often rests with minorities; and that, when it does, the tyranny we face is that of an abuse of minority power—to the detriment of majority interests. It is an offence against morality twice over. It is, in the first place, the denial of the inherent right of the majority to participate in power; and when, on this, is grafted an abuse of other rights, a disregard of the interests of the many, the offence of the few is compounded.

The Minority Rights Group has been mainly concerned with abuses of power within societies where political majorities prevail and sometimes lose their head to the detriment of minorities around them. I invite you to look to a wider society than our national ones—to the world society, to our community of nations and people, to a society which is universal but not democratic—one in which minorities possess political power, command superior force, control the economic levers, and in which those paramount minorities quite often lose their head.

Nearly a century after Tagore, our world remains a community in which the few are more than the many. They are, in particular, many, many times more in terms of the great disparities that separate mankind—that separate rich from poor, industrialised from developing, the well-fed from the starving, the literate from the illiterate, the healthy from the diseased, the housed from

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the homeless, the prosperous from those who lack even hope. These are the world's true majorities and minorities. The few are ascendant and wield majority power. The many suffer the fate of minorities in abuse of their rights and disregard of their interests. The Third World—comprising some three-quarters of the people who inhabit our planet—is, in effect, the earth's largest 'minority'.

Two hundred years ago numerical majorities within many parts of the Western world shared this same minority position and suffered too the fate of minorities with rights abused. The dismantling of feudal, oligarchic, grossly unequal societies is, of course, the history of Western democracy. It was a long process of struggle through which a fierce passion for freedom, for justice, for equity fired the revolutionary changes of the eighteenth and nineteenth centuries. Abbé Sieyès, one of the great ideologues of the French Revolution, spoke for more than his own people or his own time when he asked and answered:

Que'est le Tiers Etat?

Rien!

Que veut-il devenir?

Quelque chose!

('What is the Third Estate?

Nothing!

What does it want to become?

Something!')

That same cry echoes today in the aspirations of our world's third estate.

The rights, the quasi-minority rights, of the people of the Third World are at heart the 'rights of man'. For the greater part, they stand publicly acknowledged. But while they are conceptually conceded, they are functionally denied. For some, many of them people of decency and goodness within the directorate of the few, they are rights genuinely accepted, even cared about; but with cruel innocence they are relegated to the limbo of tomorrow's good deeds.

In 1976, when the United States celebrated its Bi-centennial, Henry Steele Commager, the American historian, reflecting on the response that the Founding Fathers had given at Philadelphia 200 years earlier to the challenge of American nationhood, offered a kindred response to contemporary problems. On Benjamin Franklin's turf at Philadelphia he drafted a Declaration of Inter-Dependence—a testament which, if this address is ever published, I hope might be appended to it, so nobly does it present in eloquent language the thoughts I seek to share with you tonight. A few sentences must here suffice:

'Two centuries ago our forefathers brought forth a new nation;

now we must join with others to bring forth a new world order . . .

We hold these truths to be self-evident that all men are created equal; that the inequalities and injustices which afflict so much of the human race are the product of history and society, not of God or nature; that people everywhere are entitled to the blessings of life and liberty, peace and security and the realisation of their full potential; that they have an inescapable moral obligation to preserve those rights for posterity . . .

To establish a new world order of compassion, peace, justice and security it is essential that mankind free itself from the limitations of national prejudice, and acknowledge that the forces that unite it are incomparably deeper than those that divide it—that all people are part of one global community, dependent on one body of resources, bound together by the ties of a common humanity and associated in a common adventure on the planet Earth.

We can no longer afford to make little plans, allow ourselves to be the captives of events and forces over which we have no control, consult our fears rather than our hopes.'

Henry Steele Commager is a historian; he may be thought to be not sufficiently versed in the realities of practical politics—although history remains the best teacher of what is politically possible. Nevertheless, in our own time, only 20 years ago, on his inauguration as President, a true practitioner of politics, John F. Kennedy counselling his people on the need for economic justice, gave expression to these same concepts of interdependence and the mutual interest of all men in social and economic justice when he said: 'If a free society cannot save the many who are poor, it cannot save the few who are rich'.

And just under two months ago, 41 Commonwealth leaders made much the same acknowledgement in their Melbourne Declaration. It was a simple statement in political terms of where we are and what needs to be done. And it was followed by a more detailed communique in which Commonwealth leaders committed themselves to taking action in many areas. But it was the Declaration itself that captured the spirit of my text and which I commend to you. A few sentences must suffice here:

'We, the Heads of Government here assembled, drawn from five continents representing a quarter of the world's entire population:

1. Affirm our strong and unanimous conviction that all men and women have the right to live in ways that sustain and nourish human dignity;
2. Believe that this right imposes obligations on all states, large

- and small, not only in respect to their own people but in their dealings with all other nations;
3. Assert that the gross inequality of wealth and opportunity currently existing in the world, and the unbroken circle of poverty in which the lives of millions in developing countries are confined, are fundamental sources of tension and instability in the world;
 4. As a consequence, assert our unanimous conviction that there must be determined and dedicated action at national and international levels to reduce that inequality and to break that circle;
 10. Declare that, while the most urgent humanitarian considerations demand action, self-interest itself warrants a constructive and positive approach to these great human problems by all governments;
 14. Assert that what is at stake—in terms of how hundreds of millions will live or die; of the prospects for co-operation or conflict: and of the prospects for economic advance or stagnation—is of such vital importance in human terms that it would be an indictment of this generation if that political will and the readiness to find a creative compromise were not found.'

I ask you to remember that the voices making that Declaration were from North and South: Margaret Thatcher and Julius Nyerere, Pierre Trudeau and Indira Gandhi, Forbes Burnham and Malcolm Fraser—among many others. Pious platitudes? No! The reiteration of what we know in our hearts needs to be done is not a rhetorical gesture; it reinforces conviction and is a spur to action. As one commentator has said—'The Melbourne Declaration will remain the most lucid, imaginative and constructive document on North-South relations. All that Cancun had to do was to endorse it and the Global Round would have been well and truly launched.'

Why do I labour the point of the few and the many and the moral and material compulsion for change? First, because while the disparities between people are enlarging and cannot really be denied or defended, they induce a kind of numbness that tends to shut them out of our consciousness. Second, because of the almost reflex reaction among those who are better off that the issues of poverty and inequality are external issues confined to far away lands—so distant indeed that given their own problems any thought about change is better postponed until 'better times'.

Many of you will remember the first photograph of earth taken from space—taken in 1967 as the first Lunar Orbiter turned its camera away from the stars and aimed it back at planet earth. Then for the first time a decade

and a half ago man through his journeying in space saw the planet as we had for half a millenium known it to be, one whole. The world lay revealed as a reality, and also as an aspiration, an ideal; because back on earth man remained subject not just to the laws of gravity but to the custom and practice of human society, with all its division and difference.

Man's journey into space affected people in differing ways. 'The vision of earth rise seen by human beings standing on the moon had its impact,' Barbara Ward wrote, 'planet earth is a small place.' Small the earth undeniably is to the astronaut's eye, to the satellite sending back weather pictures of the planet, and to the miracle machines of modern communications which have brought into focus the global village that our world community is—a village we shall soon be able to 'shuttle' from and to as we commute to space.

Yet I am struck less by the world's smallness than its oneness. I believe that this oneness, this wholeness of our global society, its integral character, will be the dominant influence on future political realities, whether or not it finds expression in the world's political geography. Even today, in our disparate world of customs posts and passports, a frontier is increasingly an expression of contiguity no less than of separation; borders are crossed by trade, by transport and, above all, by people playing their part in the ever-deepening process of human integration. 'Heaven', wrote Robert Frost, 'gives its glimpses only to those not in a position to look too close.' Perhaps earthbound man is too close to discern his oneness; but there are glimpses of our future global society here in our technologically-aided present. We talk of 'balkanisation' now in pejorative terms—the axiomatic nonsense of a fragmented society; yet we live with a 'balkanised' world whose incongruity is the glimpse from space. And for how long can we fail to recognise the contradictions of our human condition—those horrid realities that induce forgetfulness?

In his book *India—A Wounded Civilisation* Vidya Naipaul described with all the stark authenticity of personal witness the cruel nature of grinding poverty:

'In the village I went to, only one family out of four had land; only one child out of four had work. For a wage calculated to keep him only in food for the day he worked, the employed man, hardly exercising a skill using the simplest tools and sometimes no tools at all, did the simplest agricultural labour. Child's work; the children being cheaper than men were preferred: so that suicidally, in the midst of an over-population which no one recognised . . . children were a source of wealth available for hire after their eighth year for, if times were good fifteen rupees, or a dollar fifty, a month. Generation followed generation quickly

here, men as easily replaceable as their huts or grass and mud matting . . . Cruelty no longer had a meaning: it was life itself.'

That was the writer probing and recording for posterity what life was like in one corner of our world at the height of the twentieth century. I wonder how an even more dispassionate spectator might view us across the board? How perhaps might the first visitors to earth from space report on us? Might they say, perhaps:

'It is a strange planet, this planet earth; one of great beauty and wondrous human accomplishments, but one inexplicably inefficient and insensitive in the management of its global affairs. Its inhabitants have divided themselves into little groups they call states and each group struggles for its own prosperity even at the expense of others. For a long time a few groups ruled most of the others. Now, all are theoretically free and equal; but this is not so in practice. The inequalities are particularly striking.

Some humans, about a quarter of them, have great material prosperity which they measure in money—about \$8,000 a year for the average person. The other three-quarters exist in varying degrees of wretchedness with about \$600 a year; but some with as little as \$150.

In some groups, out of every 1000 children born only 15 will die before the age of 1; but for others the figure will be as high as 115. The population of the planet is growing at such an explosive rate that while it increased by 2 billion over the last 35 years it will increase by a further 2 billion over only the next 25. Most of this increase is among the poorest groups—but the planet does not seem to understand this link between poverty and population growth, or its implications for the future of all groups.

Eighty-five per cent of all the oil-based energy (and oil is fast running out) is consumed by the rich groups who also have about 90% of the industrial production of the planet.

In the poorer groups, most people subsist on one meal a day with life expectancy below 50 years and only about half are literate. In the richer ones most families have a petrol-driven car and three meals a day and life expectancy over 70 years, and literacy is almost 100%.

Most contradictory of all, however, is the fact that only \$26 billion is spent each year by the richer groups on development efforts to narrow these great differences in the conditions of life of planet dwellers. However, some \$500 billion is spent each year—mainly by the same group—on armaments designed to be used against each other; and they have nuclear weapons with such

great explosive power constantly aimed at each other that if firing ever starts it will destroy all groups on the planet.'

Perhaps the report will add more in hope than in belief that planet earth can still correct its primitive mistakes and make a contribution to the planetary community—provided it does not first destroy itself. Could we cavil at the fairness of such a report?

The trouble is that we find it difficult—even the most enlightened of us—to sustain consciousness of the world as an inter-locked community. For the most part, we are like villagers preoccupied with our neighbourhood concerns banishing thoughts of problems beyond our own. The world has, indeed, become a global village and global problems are all village problems now; but perceptions of one world and an inseparable humanity do not easily dissolve the image of several separate worlds that centuries of the sovereignty syndrome have imprinted on our consciousness.

This image of separate worlds conditions our perception of reality to such a degree that we see the present and the future in very different terms. Their challenges mean different things to different people and in our global dialogue we tend to talk across each other using code words like 'inter-dependence' but employing different codes. These differences of perception lie at the centre of man's self-contradiction—the gap between potential and fulfilment; their reconciliation might have much to do with the shape of human destiny.

If you ask an OECD economist, for example, what is the central challenge of the 1980s he will probably tell you it is the challenge of inflation in the industrialised world. His priority will be securing price stability through policies of restraint even at the expense of prolonged recession in the world economy.

A Brazilian economic planner, however, is likely to see the principal challenge in the new protectionism. He sees the debt problem which afflicts him gravely as one as much for the lender as the borrower, accepts that rapid industrial development requires expanding export markets and, therefore, sees the challenges of the 1980s in the contraction of world trade.

A farmer in Nepal will probably tell you of his own energy crisis; but, for him, the challenge is not OPEC's oil prices but how to find enough firewood to cook and to be warm through the chilly Himalayan night.

And if you speak of the future to a villager in Mali he will tell you that the challenge is survival—having enough for his family to eat tomorrow and next week.

They will all be talking about the challenges of the same future, whether immediate or longer term; and they will each have a point. What they will not share is a common perception of the world. This small planet continues to look very different from a boardroom in Bonn and a paddy field in Bangladesh.

And these are just some of our responses to the challenges of our time. In their variousness, they epitomise our abject failure to come to terms with what Jean Paul Sartre called 'the infinite unity of (man's) mutual needs'; failure to grasp the significance of the transition from a world of separate worlds to a world of a single human community indivisible and interdependent; knowing that the world of dominance and power has gone, but failing to accept that the movement from status to contract—from sovereignty to solidarity—has begun.

If we continue to fail in this way, the global prospect will be one of multiplying contradictions: soaring technological achievements, rising population, diminishing food security and energy resources, enlarging disparities in a world deeply divided between North and South, between the wealth of the old countries and the poverty of many of the new, between a minority whose rights are protected and a majority whose rights are denied.

These immense disparities in the human condition make a cruel mockery of our claim to enlightenment, much less to morality. For some of the world's most advantaged it is a cruelty of which they do not know: for others, perhaps, an injustice of which they do not care to know. For all, however, it is a reality whose implications cannot be avoided.

'In the North', the Brandt Commission acknowledged, 'ordinary men and women face genuine economic problems—uncertainty, inflation, the fear if not the reality of unemployment'. But, as the Commission agreed, 'they rarely face anything resembling the total deprivation found in the South'. The wretchedness of poverty bears no comparison; but, even more to the point, it bears no ignoring either, for we no longer live in a world of separate, scattered, unconnected communities whose fortunes can be disengaged. Rich countries and poor in our world community, like rich and poor within national societies, need each other for survival and need, therefore, to have each others needs fulfilled.

And these needs cannot be fulfilled solely by the charitable relief of indigence. Essentially, they relate to the structures of global economic relationships and arrangements which contribute to those ravages of the human condition or at least are incapable of relieving them. Evidence of that inadequacy is all around us demanding our attention and especially the attention of the countries who have assumed responsibility for the management of the international system, of the minority that holds sway.

The critical issue, therefore, lies in the nature of our response. Will we be mindful that man's mutual needs cannot be met any longer in an environment of dominance and dependency; that the old premises of power will no longer suffice as the touchstone of human destiny; that the old notions of sovereignty will no longer be wholly adequate to the tasks of human organisation? In short, will we behave as if we understand that the needs of an interdependent world can only be met in a consensual, not an exploitative way; will we

acknowledge that just as we do not accept in our societies a third class citizenship, so we must not allow in our global society a Third World that is always third.

Our world must turn aside from the violence of injustice, the violence of poverty, the violence of human degradation, violence to the human rights of the majority of its people. We must inaugurate a new era of enlightenment and of compassion in which humanity not power is ascendant. We need the fresh air of a more open internationalism, to acknowledge those issues that divide the world, but to maximise the prospects for consensus on those issues on which humanity can no longer afford to fail to find common cause. Among these must be at least some major areas in which we can advance the effective protection and realisation of human rights through development.

I say 'human rights' deliberately because on any true meaning of development, it is with these rights that we are concerned. Rights that have their origin in the fact of the human condition; that are fundamental and inalienable; rights that do not derive from constitutions, from conventions or from Governments; rights that were born not of man, but with men. They are all rights that lie at the heart of development whose true meaning we tried to convey in the Brandt Report in the following words:

'Statistical measurements of growth exclude the crucial elements of social welfare, of individual rights, of values not measurable by money. Development is more than the passage from poor to rich, from a traditional rural economy to a sophisticated urban one. It carries with it not only the idea of economic betterment, but also of greater human dignity, security, justice and equity.'

Let us recognise, however, that human rights tend to be differently perceived in rich countries and in poor. The industrialised countries, enjoying material prosperity see human rights in terms of civil liberties, and assured to a large degree of these rights, tend to view human rights as an external issue. The Third World, where hundreds of millions subsist at the very margin of existence, is concerned primordially with economic and social rights. The perception of human rights and of responsibility for their denial are not the same in a welfare state of the North as they are in a wretchedly poor society of the South.

And herein lies a great contradiction. For a rich industrialised society to be less than assiduous in narrowing the world's present disparities, is to acquiesce in, indeed even to promote, the denial of the most basic of human rights—the right to life itself at a tolerable level of existence. It would do the cause of human rights more good if those who inveigh against civil and political rights deviations were less tolerant of illiteracy, malnutrition, disease, infant mortality, and a low life expectancy among millions of human beings. All the dictators and all the aggressors throughout history, however

ruthless, have not succeeded in creating as much misery and suffering as poverty sustains today.

This does not gainsay the responsibility of developing countries themselves to uphold human rights in their widest context. The poor have no less right to the enjoyment of their civil and political rights than the rich. The condition of their poverty, it is true, diminishes their capacity to enjoy them effectively. But this does not relieve the Third World of the need to establish the structures of a just society at home. They must be particularly zealous for the protection of the rights of minorities within their own societies as they struggle for respect for their collective rights in the wider international community.

And there are practical no less than moral reasons for this. Only if the people as a whole are drawn into the development process and see themselves as partners in a free society can their resources be effectively mobilised for development. Only if the right to criticise is accepted as fundamental to a healthy society—rather than as subversive of it—are decisions likely to be taken that are sufficiently informed by the public will as to be responsive to the public interest. No one, no group, has a monopoly on a society's accumulated store of wisdom and experience. Development calls for all the enthusiasm, creativity and energy that can be harnessed, but these are hardly likely to be forthcoming in an environment hostile to freedom in its truest sense. In an environment of chronic poverty it is not easy to advance simultaneously on all the fronts of nation-building—of securing democratic structures, of achieving socially-just development. But there is no alternative to trying.

Domestic imperfections in Third World societies do exist, but these do not justify global neglect of the basic rights of the poor who are its majority. Nor are there promising signs of a re-ordering of priorities in our confused world. The linkages between détente, disarmament, development and human rights are close indeed. The decline from détente is dangerous for the world, but for the Third World it is calamitous. When East and West are each enlarging their arsenals of destruction and justifying it in terms of the other's offensive intent, we are indeed in a time of peril. It is the kind of time when all else—including issues of development and human rights, both in their civil and political and their economic, social and cultural contexts—tends to be relegated to less troubled times. When these tensions subside it should occasion no surprise if the developing countries, and the cause of development and of human rights throughout the Third World, are found to have been the principal victims.

The Brandt Commission has referred to the moral link between the vast spending on arms and the disgracefully low spending on measures to remove hunger and ill-health in the Third World. Its example of the eradication of malaria is typical of many others that could be cited. The World Health

Organisation is short of funds. It estimates that it could control malaria world-wide at the cost of only \$450 million. This is less than one thousandth of the world's military spending for one year. Eight hours of the arms race diverted from war to peace. One shift devoted to life not death. The examples could be multiplied. The central point is that a small reduction in military expenditure, a small step away from militarisation, can be a massive step in the fight against hunger and poverty and in the recognition of fundamental and inalienable human rights. As a distinguished soldier-statesman, Dwight D. Eisenhower, once reminded us: 'Every gun that is made, every warship launched, every rocket fired, signifies in a final sense a theft from those who hunger and are not fed, from those who are cold and not clothed.'

The North-South debate is often described as if the rich were being asked to make sacrifices in response to the demands of the poor. The Brandt Commission rejected this view in words I commend to you:

'The world is now a fragile and interlocking system, whether for its people, its ecology or its resources. Many individual societies have settled their inner conflicts by accommodation, to protect the weak and to promote principles of justice, becoming stronger as a result. The world too can become stronger by becoming a just and humane society. If it fails in this, it will move towards its own destruction.'

And we concluded in words particularly apposite to the concerns of the Minority Rights Group: 'We are looking to a world based less on power and status, more on justice and contract; less discretionary, more governed by fair and open rules.' We might have said—a world in which justice and equity will prevail in the domain of development, between states as well as within them, in our global community as well as within national societies—a world in which the few are no longer more than the many.

(1981)

Human Rights and Mass Exodus: Developing an International Conscience

BY PRINCE SADRUDDIN AGA KHAN*

It is the concern of people like yourselves, whose access to information and whose indignation at acts of inhumanity are often translated into government fora, that precipitates international action to identify and remedy injustice.

Your excellent reports help to sensitise influential sectors of the British public. This, in turn, stimulates action to expose and curb some of the more shameful policies of certain governments which lead to horrendous human suffering and distress.

Allow me to extend to my friend, Ben Whitaker, and his editorial team, my warmest congratulations on the recognition accorded to your reports by the award of the 1982 UN Media Prize. It is not only through his outstanding work at the helm of this organisation that Mr. Whitaker had made his presence felt. Indeed, he has also applied his integrity and constant dedication to the service of the Commission on Human Rights' Sub-commission which has, thus, benefited from his unshakable humanitarian qualities coupled with an exceptional knowledge of UN affairs. His contribution stands as a fine example of the kind of qualitative input that groups like this may make.

The type of concern the Minority Rights Group has felt over large-scale exodus has been shared by several governments. These movements, together with growing problems of illegal immigration into industrialised countries recently prompted three initiatives within the framework of the United Nations. One was the appointment by the Commission on Human Rights of a Special Rapporteur to study the relationship between the violation of human rights and mass exodus. The second was the inclusion, at the request of the Federal Republic of Germany, of a new agenda item entitled 'International action to avert new flows of refugees'. This has recently been taken up by the Special Political Committee. The third was the adoption of a consensus resolution on the need to develop a New International Humanitarian Order. The resolution encourages the formation of an Independent Commission which will direct its efforts at promoting such an International Humanitarian Order to provide a more adequate response to contemporary requirements.

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In this chapter I propose to:

1. Examine the nexus between violations of human rights and mass exodus.
2. Consider how human rights violations might be contained.
3. Review and elaborate on some of the recommendations in my report to the UN Commission on Human Rights.

1. *The Nexus between Human Rights and Mass Exodus*

My study was presented to the Commission on Human Rights at its Spring session last year. The findings were based essentially on actual situations of mass exodus during the period 1970–80 in which international assistance was called for. These numbered about 25, from the flight of almost a third of the population of Equatorial Guinea to neighbouring states in 1970 to the exodus from El Salvador in the tragic period at the end of the seventies. Rather than go into violations of the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights—neither of which had been ratified by most of the States from which exodus had occurred—it seemed more logical to take, as the basis of the study, the Universal Declaration of Human Rights.

It emerged that in all the situations of the last decade, violations of the spirit, and frequently of the letter, of the Universal Declaration and its Preamble had occurred. In many of the countries from which large numbers of people fled, the rule of law, the only guarantee of just treatment of the individual, was simply non-existent. Local conditions, a state of internal or external conflict, the authority of dictatorial or despotic régimes and the resulting arbitrary rule by decree prevented individuals or groups from getting a fair hearing or seeking redress. An example would be Uganda during the rule of President Amin, when the Asians—even those holding Ugandan citizenship—felt they had no alternative but to leave. In addition, the law was often misused to dispossess or expel communities, to institutionalise racial or economic discrimination and to make it impossible for parts of the population to continue to live in their country of habitual residence. We have since seen fresh examples: the expulsion of over 40,000 people, many of them of Rwandese origin, from Uganda towards the end of 1982 and, even more topically, the massive movement from Nigeria.

The Declaration was also violated when the rule of law failed to be applied to groups who were not necessarily citizens of the country concerned, or to the stateless. Yet ‘everyone’ is entitled to the rights and freedoms listed in the other articles, and no distinction should be made because of national or social origin, property, birth or other status.

In the preamble to the Declaration, Member States ‘pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal

respect for and observance of human rights and fundamental freedoms'. Most Member States, however, had not achieved independence when this noble statement of intent was drafted. More importantly, they lacked the means to provide basic human rights and fundamental freedoms to their populations. As President Félix Houphouët-Boigny of the Ivory Coast put it so succinctly:

What is the use of talking of equality between citizens and of fundamental freedoms to those whose only freedom is to die of hunger? or of freedom of choice of work to those who cannot find any work at all?*

Looking in detail at the principal articles of the Universal Declaration, we observed that the breakdown of the political and economic structures of many countries which had suffered the effects of external or internal strife had often prevented the provisions of Article 3—the right to life, liberty and security of person, from being applied. Indeed, many of the exiles would have lost 'life, liberty and security' had they not left. Articles 4 and 5—'no one shall be held in slavery or servitude . . . no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment' had been all too frequently violated during the 1970s. Indeed, slavery and torture have been institutionalised by certain régimes. Whilst it is important to pursue the attempt of the working-group of the UN Commission on Human Rights established to draw up a Convention against Torture, the extent of the problems in this respect cannot be underestimated—notably the principle of universal competence provided for in the Convention and the difficulties in setting up machinery for its application. How could one hope to monitor what goes on behind the walls of prisons or detention centres?

The Declaration's articles dealing with the individual before the law (6–12) were viewed in the context of the particular situation prevailing in countries from which mass exodus had occurred in the period of the Study. Most of the provisions were found to be academic in times of conflict. They appeared to have been conceived for societies in which the legislature is truly independent, where the 'competent national tribunals' referred to in Article 8 exist and where 'everyone' (charged with a penal offence) 'has the right to be presumed innocent until proven guilty according to law in a public trial at which he has had all the guarantees necessary for his defence' (Article 11). This is a 'never-never land'.

'Interference with the privacy, family home or correspondence' of individuals (Article 12) is of course deliberate in many countries from which large numbers of people have fled. How often have we seen examples of families torn apart by institutionalised violence! How widespread is State censorship and the obligation laid upon citizens to report to one another!

* 'A quoi sert-il de parler d'égalité entre les citoyens et de libertés fondamentales à ceux qui n'ont que la liberté de mourir de faim, ou de liberté de travail à celui qui ne trouve aucun emploi?'

The non-application of rights we take entirely for granted in democratic societies has surely led, or forced, many people to leave their homelands: the right to freedom of movement and residence (Article 13), the right to a nationality (Article 15), to own property (Article 17), to freedom of thought, conscience and religion (Article 19).

Democracy is in short supply and autocratic governments are largely responsible. Articles 20 and 21 upholding the rights of individuals to choose whether to belong to an association or not, to take part in the government of their country and to express their collective will as the basis for governmental authority are too often remote from the realities of countries which people have chosen to abandon. Nor can the economic, social and cultural rights enshrined in the Declarations be taken as a realistic yardstick in developing countries where people barely survive at all, and where illiteracy, unemployment and a dearth of social services are rife.

There have been numerous instances where departures were precipitated because particular ethnic groups were denied work or the ability to pursue their former economic activity or education. This has been particularly noted where ideologies and policies have been directed against the previous social order and have cut across the interests, and indeed human rights, of certain minorities. A clash is inevitable between the desire of certain nationalities to retain at least part of their cultural heritage and the policy of the central authorities to phase out the distinct linguistic, cultural or religious patterns of a heterogeneous national population. Political upheavals frequently sacrifice the rights of minorities. The thrust to unify many newly-created nation-states has exerted severe pressures upon those who found it difficult to conform to the ideological line. Such minorities have tended to be used as scapegoats to divert attention from broader issues.

The situation is just as grave when a minority imposes dominance over the majority subduing it by force. 'Apartheid', is nothing short of legalised injustice since the rule of law is twisted to institutionalise racial discrimination.

2. *Containing Human Rights Violations*

The United Nations High Commissioner for Refugees can only protect victims of tyranny once they have crossed an international border. By common consent the members of the Commission on Human Rights have sometimes preferred to remain silent rather than denounce acts deserving of the most strident exposure. Extreme ideological differences have sometimes been bridged inside and outside the conference chamber so as to prevent an embarrassing situation from being taken up. The media refers to this as 'trade-offs'.

It has to be said that the basic problem about creating a High Commissioner for Human Rights would be for governments to agree on

terms of reference that would enable the incumbent to do a valid job. Some would probably seek to neutralise his powers of intervention before he had even taken up his functions. It would be very difficult for him to overcome the traditional 'impasse' between the observation of human rights and the sovereignty of states. Could he be an effective 'ombudsman', unfettered by terms of reference so watered down as to render the appointment virtually meaningless?

No effort should be spared, of course, to improve the performance of existing UN bodies and in particular those concerned with upholding human rights.

The regional organisations have also been careful not to 'make waves' over human rights' questions within their regions. Once again, they are fearful of touching upon the domestic affairs of Member States. In the confrontation between sovereignty and human rights, the odds are heavily stacked against the latter.

Despite this realistic assessment, those, like yourselves, who are constantly striving to change the status quo and break the current inertia can be encouraged by the comments expressed by various governments and inter-governmental bodies in connection with my Study. Perhaps the most heartening inference to be drawn from these is that there appear to be several points of convergence in the overall thinking. First, there is general recognition that the problem of mass movements of populations, whatever their nature, is growing uncontrollably. Admittedly this aspect is hardly debatable in the light of facts which are eloquent enough. Secondly, it is understood that although violations of human rights play a significant role in causing upheavals leading to mass exodus, they occur, on the whole, as the result of a multiplicity of factors. These must all be taken into consideration when trying to resolve the problem. Thirdly, it is recognised that in view of the toll in human suffering and the financial resources required to alleviate it, there is an urgent need to examine appropriate ways and means to contain large population movements.

Consensus is rare in the United Nations. The problems of refugees tend to divide the membership. It is, thus, refreshing that, for the first time, groups which are normally pitted against each other have rallied together in order to emphasise the need for preventive measures which could lead to some containment of this dramatic human flow—though governments may still differ on the logistics of how this should be achieved. It is also rewarding to note that this encouraging momentum is being maintained. The efforts being made in the Special Political Committee with a view to averting new refugee movements constitute just one testimony of this growing awareness and concern.

I have been asked to convene the Independent Commission on International Humanitarian Issues, which, as I indicated earlier, was referred

to in a consensus resolution at the last UN General Assembly. This Commission will, in particular, direct its efforts towards further developing the existing body of international humanitarian law and its implementation. In so doing, it will examine problems and solutions relating to refugees, displaced persons and demographic movements as well as effective responses to meet crises brought about by natural disasters. The Commission will be action-oriented in reviewing methods and means to promote the protection of human rights as well as strengthening international humanitarian institutions.

The recommendations in my Study will also be followed up. It was certainly not my intention in making these to encourage further institutional arrangements, involving more financial or human resources. On the contrary, I firmly believe that the United Nations system has adequate means to address the issues within ongoing programmes and activities. Neither were any of my proposals intended to detract from what has been so painstakingly built up over the past three decades in terms of international humanitarian law and practice. I believe that the worthy and essential functions performed by the existing agencies, such as UNHCR, must continue with the full support of the international community—functions which are essentially of a humanitarian and social character. They deal with effects, not causes; with cure, not prevention.

3. *Recommendations in my Study*

Let us then examine some of the principal recommendations of my Study. The first was for an updating of refugee, nationality and labour law together with a fresh consideration of asylum practice in the context of the promotion of a New International Humanitarian Order. There is no doubt that as a result of various factors inciting people to leave their countries—including what have been described as ‘pull factors’—the right of asylum has been abused. A backlash has sometimes resulted, which, in some cases, has led to less flexibility on the part of first asylum countries. It has become increasingly difficult to determine who is and who is not a refugee, for even if individual eligibility determination were feasible—which of course in situations of mass influx is hardly the case—not all cases answer to the provisions of the 1951 Convention on the Status of Refugees or the 1967 Protocol.

Recommendations 2–5 deal with a reappraisal of developing countries’ economic needs in relation to possible causes of exodus. Such a reappraisal should encompass the standardisation of international aid criteria and simultaneity in approach to the country of origin and country of asylum. This would allow a comprehensive view to be gained of the overall situation and would permit more rational planning. Multi-lateral aid would take into account what was being done bi-laterally, and vice versa. Duplication would, thus be eliminated and an integrated approach ensured.

The sixth recommendation is for the introduction of an effective census mechanism to work independently of relief agencies in order to determine, in an impartial and professional way, the numbers of border-crossers requiring assistance in mass influx situations. Adequate planning is difficult when the statistics of needy people are based on general conjecture. Actual numbers have on occasions been at variance, be tens or even hundreds of thousands of persons, with the figures used for planning international aid programmes.

Recommendation 7 relates to the introduction of an 'early-warning system' based on impartial information gathering and data collection concerning potential mass exodus situations. There is a need for expeditious reporting to the Secretary-General of the United Nations and competent inter-governmental organs in order to ensure timely action, as required. We have too often been 'caught napping' and, as recent events in Africa have shown yet again, prevention is better than cure—never more than when we are dealing with human tragedies.

It is with this thought in mind that I recommend the appointment of a Special Representative for Humanitarian Questions whose task would basically be to forewarn, to monitor and to de-politicise humanitarian situations. He would, notably, carry out those functions which humanitarian agencies cannot assume because of institutional or mandatory constraints and would serve as an intermediary of goodwill between the concerned parties. The final recommendation in the Study argued in favour of the identification from among groups experienced in humanitarian questions of men and women willing and able to be called upon to form a Corps of 'Humanitarian Observers'. The members of such a Corps could, in case of need, monitor situations and contribute through their presence to a de-escalation of tensions. A pre-requisite for this role would be the concurrence of the governments concerned. The Corps would facilitate the work of the Special Representative for Humanitarian Questions. It should be stressed that the Corps would, in no sense, be a UN peace-keeping force, whose functions are essentially political-directed as they are by the Security Council.

Clearly, the measures suggested in my Study should not be exploited either to fan differences between States or to infringe upon their sovereign prerogatives. No system can function satisfactorily without the full co-operation of the governments of the countries concerned. No problem can be resolved unless the requisite will exists on all sides.

Without a purely humanitarian and non-political approach, no progress is possible in the highly-sensitive areas which the report covers. Likewise, in such action as might ensue, the personal authority and guidance of the Secretary-General would remain a decisive factor.

The recommendations should not, of course, be considered as magic formulae to provide an instant cure to the problems of mass exodus—far from

it. Many more accessions to the 1966 Covenants on Civil and Political Rights as well as on Economic Social and Cultural Rights are needed. In this context, it is perhaps significant that only one State from the 25 or so from which mass exodus occurred during the period covered by my Study had ratified these international covenants. Regional arrangements for the vigorous promotion and protection of human rights should continue to be encouraged to the full and regional bodies could make a very significant contribution in the field of prevention. The Commission on Human Rights might increase the frequency of its sessions—currently only one per year—and hopefully take a more active stand in the face of identifiable gross violations of human rights.

Much may be accomplished through appealing to youth, through more education on basic human rights. Universities should take up new curricula involving teaching and research in human rights questions and the whole spectrum of international humanitarian law. For this, they must be supplied with adequate material, on an ongoing basis. Given the right impetus, they could mould the attitudes of many of those who will graduate into government or teaching. The media must continue to highlight abuses and stimulate corrective action.

The role of the Minority Rights Group and similar organisations could become even more vital from now on. Certainly, the UN can make use of the authentic reports which you are able to present in intergovernmental fora. Governments will not champion human rights unless they are constantly prodded. Whether representatives from their respective capitals or diplomats, the need to be fed facts and to be kept from side-tracking the issues. Often hamstrung by political constraints, they probably envy the freedom and independence you enjoy. Indeed, some may even welcome your services one day when finding themselves in trouble at home!

A group such as yours, which has proved itself over many years, should continue to work in close partnership with UN organs or agencies. You can certainly help to promote the careful study of potential mass exodus situations. I for one would welcome your views on how certain situations might have been averted, or circumscribed. Such an exercise, which need not be entirely academic, would definitely serve to provide lessons for the future. Would it have been so difficult to foresee the recent developments in Nigeria? If so, how long beforehand? What sources of information could have been tapped? It would be interesting to explore these matters further and to see whether an early-warning system might have worked and whether preventive action could have been undertaken. At the very least, could we not have gained more valuable time to organise orderly departures and generally reduce human suffering?

Mr. Ben Whitaker in his preface to *The Fourth World* reminds us of

Mahatma Gandhi's words to the effect that one could assess civilisation by the manner in which it deals with minorities.

Perhaps the manner in which the UN deals with Human Rights issues will prove to be the yardstick by which we assess its performance during the 1980s in this as in other matters of global importance.

In concluding, I am reminded of what George Bernanos wrote in one of his essays:

A thought which does not result in an action is nothing much, and
an action which does not proceed from a thought is nothing at all.

(1983)

Appendix

The Minority Rights Group has three principal aims:

- To secure justice for minority or majority groups suffering discrimination, by investigating their situation and publicising the facts as widely as possible, to educate and alert public opinion throughout the world.
- To help prevent, through publicity about violations of human rights, such problems from developing into dangerous and destructive conflicts which, when polarised, are very difficult to resolve.
- To foster, by its research findings, international understanding of the factors which create prejudiced treatment and group tensions, thus helping to promote the growth of a world conscience regarding human rights.

The aims of the Minority Rights Group are remedial, preventive, and educative.

The Reports already published by the Minority Rights Group are:

- No. 1 **Religious minorities in the Soviet Union (Revised 1984 edition)**
— 'systematically documented and unemotionally analysed'¹; 'telling'²; 'outstandingly good and fairminded'³.
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— 'a rare accuracy and insight'⁴; 'lucid . . . without bias'⁵; 'pithy, well-informed . . . the best 24 pages on Ireland's contemporary political problems that have found their way into the permanent literature . . . excellent'⁶.
- No. 3 **Japan's minorities: Burakumin, Koreans and Ainu (New 1983 edition)**
— 'sad and strange story . . . a frightening picture'⁷; 'expertly diagnosed'⁸.
- No. 4 **The Asian minorities of East and Central Africa (up to 1971)**
— 'brilliantly sketched'¹²; admirably clear, humane and yet dispassionate'⁸.
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— 'another important contribution . . . from this increasingly important group'¹.
- No. 8 **Inequalities in Zimbabwe (Revised 1981 edition)**
— 'outlines all the thorny problems'³⁰.
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— 'very valuable'¹⁵.
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— 'a well-documented and sensible plea'¹⁴.
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¹The Internationalist; ²New Society; ³Times Lit. Supplement; ⁴Belfast Newsletter; ⁵Irish Post;

⁶International Affairs; ⁷Sunday Independent; ⁸S. Asian Review; ⁹The Friend; ¹⁰Afro-Asian

Affairs; ¹¹E. African Standard; ¹²Sunday Times; ¹³New Community; ¹⁴The Times; ¹⁵Information;

¹⁶The Observer; ¹⁷Irving Horowitz; ¹⁸The Guardian; ¹⁹Peace News; ²⁰The Freethinker; ²¹The

Spectator; ²²The Geographical Magazine; ²³The New World; ²⁴Melbourne Age; ²⁵The Economist;

²⁶Neue Zürcher Zeitung; ²⁷Resurgence; ²⁸Feedback; ²⁹Time Out; ³⁰Evening Standard; ³¹Tribune of

Australia; ³²The Scotsman; ³³The Financial Times; ³⁴New Statesman; ³⁵The Nation; ³⁶Bernard

Levin; ³⁷BBC World Service; ³⁸International Herald Tribune; ³⁹Education; ⁴⁰Times Ed. Supp.

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Minorities

a question of human rights?

edited by Ben Whitaker

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The Minority Rights Group
London, UK

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